

The Road Ahead – The new relationship for Canadian Radio and Music

Prepared for The Canadian Association of Broadcasters by:

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Introduction

In the CRTC Notice of Consultation CRTC 2020-374 (the Notice), the Commission states “Due to recent advances in digital technologies, new business models and various possibilities for programming distribution provide the radio industry with new opportunities. *However, they also create new challenges.*” (emphasis added).

The Notice also notes digital’s effect on the music industry, including declining market share of Canadian artists on domestic music charts, increasing domestic and international royalties, and that:

Producing and recording music are easier than ever since production costs have decreased considerably due to technological advances, while creation and distribution opportunities have increased. In addition, Canadian performers, creators, producers, composers and lyricists are increasingly working internationally. Collaborations with non-Canadian artists and professionals are increasingly common.

The opportunities and challenges presented by digital technology also mean that the long-time relationship between “Radio & Records” is undergoing profound change.

While radio “remains the leading audio distribution platform for music, news and spoken word content across Canada”, as stated in the Notice, it’s role as the primary source for support and exposure for our Canadian artists in today’s new digital world has changed. There are now new self-directed avenues of promotion, awareness and distribution available to an artist. The artist’s path to a meaningful career has changed dramatically over the past decade. No longer is radio the sole, or even necessarily principal, provider helping to launch and establish an artist’s place in music.

Understanding today’s new reality for the discoverability of Canadian music and exposure of artistic talent is vital for the Commission in this proceeding. A new regulatory framework must both embrace and support the new path Canadian music and Canadian radio must carve for survival and indeed success.

The Artist’s Path – A Dramatic Evolution

The development of an Artist’s career has evolved dramatically over the period of time encompassing the last three radio review proceedings. From the review of radio in 1998, to the review in 2006 through the targeted review in 2014 to now – the path for success and the landscape of the music industry is unrecognizable. This has a significant impact on the role of radio.

1998

In 1998, the music industry was at its peak. The sale of CDs had spawned a resurgence in the music industry allowing labels to resell catalogue that was previously available on vinyl and cassette on a new high-quality format. A record like “Steve Miller’s Greatest Hits” was reliably selling as a gold record 20 years after it had fully recouped its initial cost. The major record labels took these extra profits from catalogue and invested in producing and releasing more albums in a big way. Artists could rely on big budgets to make records and even bigger budgets to promote their music through the creation of music videos and various forms of promotion and marketing. The artist path had three key elements: big

budget album, big budget videos, and big marketing spends at retail stores for positioning and promotion. The labels would build the product and story and then take this story to radio for support on the airwaves. In Canada sales went from \$882 million in 1992 to over \$1.3 billion in 2000.¹ The number of new album releases also doubled from an average of 4,500 new albums per year in 1990 to over 7,000 by 2003.²

For artists this meant there were ample opportunities to get signed to a record deal with substantial resources. It was not uncommon to have Canadian artists showing up at the Juno awards having sold 400,000 + albums in Canada alone in any given year. MuchMusic/MusiquePlus and MTV Canada were key ingredients to success and exposure.

2006

This golden age of music was not going to last. By the time the next radio review was conducted in 2006 Napster had come on the scene and free file sharing through various pirate sites decimated record sales. iTunes only had its initial launch in 2003 and was a very new service as people got used to listening to music on their digital devices. Between 2000 and 2006, revenues from physical sales in Canada dropped from \$1.3 billion to \$564 million, a decline of over 57%. Digital services, having just begun and still in the early stages, represented only \$34.5 million in revenues, for a total of \$618 million.³ The music industry was in retreat - there were several rounds of downsizing staff, lower investments in artist recordings and mergers of the major labels as the industry was forced to contract.⁴

2014

When the CRTC conducted its targeted review of radio, the music business was at the bottom of the income trough. Physical sales had fallen from the \$1.3 billion peak in 2000 to \$396 million. For the first time, physical sales were less than digital sales and revenue from streaming had not yet fully materialized.⁵ Labels had continued to consolidate – EMI had been purchased by Universal – when the label that owned the Beatles catalogue cannot survive you know there's something very troubling happening in the industry. In Canada there was a trend towards more cooperation between the major labels and the independent labels to develop talent using the funds provided through radio and government. The majors no longer had the revenue base to develop as much Canadian talent and needed to rely more heavily on artists making their own records.⁶ Avenues for promotion were also cut down as the viewership of cable music channels all but disappeared and they turned their programming to alternatives. YouTube became the dominant source of music video content and was completely

¹ RIAA statistics (<http://www.riaa.com/keystatistics.php>) show the gross income derived for recordings almost doubled from 1990 to 1999 from 7.5 billion dollars to 14.5 Billion dollars; Similarly in Canada gross revenue for the record industry went from \$828 million in 1992 to over 1.3 billion in 2000 (Sources: Statistics Canada: Sound Recording Survey 1992-2003, catalogue no 87F0008XIE.)

² The average amount of new releases in the period 1988-1992 was 4490 per year, see Ernst and Young Report (<http://www.pch.gc.ca/progs/ac-ca/progs/pades-srdp/pubs/ernst-e.pdf>) and this number had risen to over 7000 new releases each year by 2003 according to the Canadian Department of Heritage (http://www.pch.gc.ca/progs/ac-ca/progs/fmusic-cmusf/pubs/music_for_everyone/3_e.cfm)

³ Music Canada statistics (<https://musiccanada.com/wp-content/uploads/2014/06/2006.pdf>)

⁴ Sony and BMG merged in August 2004 and EMI was sold to Universal in 2012 turning the major label music companies from 5 to 3.

⁵ Music Canada statistics (<https://musiccanada.com/wp-content/uploads/2017/05/2014.pdf>)

⁶ Donald Passman and Chip Sutherland, *All You Need to Know about the Music Business – Canada Edition* (Simon and Schuster 2013), page 228.

uncurated, making targeted promotion difficult. There was also a larger trend towards Canadian major labels signing joint ventures with US labels to help offload the risk of artist development.

2021 and the Future

Recent revenue figures reinforce the existing trend from previous years that the music industry is building its revenue back thanks almost entirely to streaming.⁷

In 2018, Canadian streaming revenue alone was worth \$343 million which was almost 10 times the revenue generated in 2014.⁸ Streaming consumption increased again in 2019 by 31% and by mid-year 2020 this trend had stayed on track with an increase of 16%.⁹ This all points to streaming revenue for 2020 in excess of \$500 million and total recorded music revenue for the Canadian music industry, even with COVID-19 impacts, of \$1 billion.¹⁰

A March 24, 2021 Financial Times article reported that “Revenue in the global music industry last year reached its highest level since 2002” with “Total revenue increased 7.4% to \$21.6bn according to IFPI, the global music trade body, its sixth consecutive year of growth. The rise was driven largely by streaming services including Spotify, Apple Music and Deezer, with the number of paid-for-subscription accounts climbing 18.5 per cent to 443m by the end of last year.”¹¹ IFPI figures suggest that streaming drove a 7.4% rise in revenue in Canada and the U.S. in 2020.¹²

The key factor here is that streaming platforms are changing the landscape for Canadian artists significantly as a key source of finding fans and building their business.

The New Artist Path – Streaming and Touring

The revenue numbers show that things have changed significantly over the past 20 years and the business model for musical artists looks completely different than it did at the turn of the century. Whereas in 1998 artists would be funded by the labels to record an album, make two or three expensive videos and have big campaigns to increase profile at retail – none of these things exist today for most artists. There are no more mass television music video channels that curate playlists to hype artists and there is no more physical retail presence in the music market. Labels expect artists to use modern technology and home recording to make records much less expensively and videos are things that can be made on an iPhone and posted on YouTube. There are still major campaigns and resources devoted to the rarefied artists with large worldwide followings like Shawn Mendes, Drake and the Weeknd or new phenoms such as Jessie Reyez, but this is now the exception to the rule. For most developing Canadian artists, the goal is to build a fan base using digital platforms, social media and touring to

⁷ A trend noted by the CRTC in its 2018 *Harnessing Change* Report. See Figure 30: Streaming music revenues are growing and have compensated for the decline in music sales. <https://crtc.gc.ca/eng/publications/s15/mar3.htm>

⁸ Music Canada statistics (<https://musiccanada.com/wp-content/uploads/2019/04/2018-Stats.pdf>)

⁹ <https://www.billboard.com/p/nielsen-music-mrc-datas-us-year-end-2019-report-canada>

¹⁰ Including physical sales and copyright royalties. Per PWC, *Global Entertainment & Media Outlook 2020-2024 - Canada*, 2020, cited at <https://ontariocreates.ca/research/industry-profile/ip-music>

¹¹ Music industry revenue hits highest level since 2002. <https://www.ft.com/content/9ac93b24-d986-4cea-8802-85606d4cbb9f>

¹² <https://gmr2021.ifpi.org/report>. IFPI also cites growth in Canada and the U.S of 11.6% in 2019.

increase and solidify a loyal fan base.¹³ Videos get made cheaply and can be promoted on artist websites, YouTube or Instagram. For artists at all stages of their career, post COVID-19, touring revenue is going to be their predominant source of revenue.

This recent trend towards streaming platforms is a welcome change, particularly for more niche artists, because the customized playlists allow for promotional opportunities to reach a specific fanbase with specific tastes. While there have always been examples of successful artists who do not garner significant radio airplay (Dave Matthews, Metallica, Jack Johnson), there are now even more avenues for developing artists to gain audiences unique to their specific style which may not suit more mainstream targeted radio formats. We now see Canadian artists with thriving careers such as Donovan Woods, Bahamas or Joshua Hyslop who may not fit easily into a radio format but have over 100 million streams on Spotify. For a developing artist like Ruth B who may enjoy radio airplay – that airplay still cannot reach her fans as well as her 300 million streams. Or Allie X or Charlotte Cardin – the list of artists making a mark and accumulating fans through streaming is endless. Even in the extreme music niches, a talented Canadian artist like Chilly Gonzales who records solo piano records which have no access to radio has over 1 million monthly listeners on streaming services which in normal times allows him to tour venues all over the world.

This new success through streaming also underlines a reality of the music industry which is that radio is not for everyone. Radio as a broadcast medium is specifically targeted to certain demographics and is heavily researched to deliver the kind of music that will attract and hold listeners. That does not work for folk musicians or solo piano albums. Just to be played on the radio without having a pairing to the demographic listener helps nobody. Radio airplay can of course be a substantial boost to an artist that starts to crest on streaming services in the right format; it can really boost their career. Shawn Mendes, Justin Bieber, Jessie Reyez, the Weeknd - there are many current examples of this working well. However, similar to good junior hockey players making it to the NHL (less than 10% make the leap), not every talented artist is going to make an impact on commercial radio.

While there may be a debate over the share of revenue actually finding its way to artist's pockets from streaming services, it was never the case that artists were well paid by record labels in the first place. They generally received less than 10% of the retail price of albums, if they got paid at all after expenses were accumulated and built into their accountings.¹⁴ For many artists, streaming's primary value is in the ability to access fans who will pay the money for ticketed live, including virtual, events. The labels and streaming services provide an important marketing and "visibility" component but not typically the main revenue source.

Of course, at this stage of the pandemic live touring has been affected substantially, and the pandemic will have to subside for musical artists to thrive again. Fortunately, as the Canada Emergency Wage

¹³ Donald Passman and Chip Sutherland, *All You Need to Know about the Music Business – Canada Edition* (Simon and Schuster 2013), page 425.

¹⁴ See Donald Passman and Chip Sutherland, *All You Need to Know about the Music Business – Canada Edition* (Simon and Schuster 2013), pages 95-96.

Subsidy (CEWS) has done for broadcasters, the Canada Emergency Response Benefit (CERB) has helped ensure that music artists can get through the severe revenue declines induced by COVID-19.¹⁵

Like so many things this is beyond the control of any regulatory body or radio broadcaster. This is a global problem which will have to reset itself in the normal course as society slowly comes back to normal over (hopefully) the next year. It is not a permanent disability. There is already talk of open-air music festivals relaunching in the summer of 2021. The path for most artists in Canada will continue to be live touring focused with the new addition of help from social media and streaming services to target fans through promotion and playlists.

New opportunities in the modern Business – Producers and Songwriters

Another recent development that offers additional opportunity for the creative sector in Canada is the proliferation of important producers and songwriters on an international scale.¹⁶ While it's easy to get lost in the path of the standard band/artist – making an album, getting some attention, touring and building a career, there are many artists out there finding success as producers and songwriters in the new “collaborative movement” of making records. This is an important contribution to the cultural economy, and it should be considered and encouraged when policy is developed.

Take just one example of Frank Dukes (Adam Feeney) from Toronto. He got his start in the business playing with the band BadBadNotGood, but by carefully working on samples and adding musical pieces to recordings he built a production and songwriting empire (Kingsway Music) – working with many top tier artists in the world as a collaborating songwriter and producer – Camilla Cabello, Drake, the Weeknd, Travis Scott, and the list goes on.¹⁷ He has since taken this success and started cultivating the careers of other Canadian artists like Mustafa Ahmed, a young talented poet from Regent Park in Toronto – providing opportunities for him to write songs with the likes of the Jonas Brothers, Camilla Cabello and Shawn Mendes. This represents an entirely new non-traditional career path for talented Canadians and Frank Dukes has proven that it can be highly lucrative and breed further success for Canadians. Given the substantial copyright contributions made by radio broadcasters each year through performance royalties, neighbouring rights and reproduction rights, this represents an important connection between radio and the creative economy in Canada.

The Road Ahead – The new relationship for Canadian Radio and Music

Radio & Records have always been partners. While the relationship has had its challenges and frustrations, the fact is that we do get along and we do need each other. Our paths are forever linked with a shared passion for music, and indeed for Canadian music. The goal today however is to redefine this relationship in order to preserve the value and importance of the Canadian radio and music

¹⁵ See, for example, <https://musiciansrights.ca/en/cerb-eligibility-expanded-to-benefit-of-musicians/#:~:text=Today's%20announcement%20by%20Prime%20Minister,%2C%20from%20performances%2C%20lessons%20etc.>

¹⁶ This reflects the reality that, as noted in the CRTC Harnessing Change Report, “Advances in technology and declines in production costs have made recording, mixing and producing music more accessible than ever for artists.” Market Insight 21.

¹⁷ See <https://www.thestar.com/entertainment/music/2019/07/12/meet-torontos-frank-dukes-the-hit-machine.html>

industry. The relationship needs to reflect the reality of digital technology and its impact on our respective business environments.

This will require change in how the regulatory framework requires radio support of Canadian music and Canadian musical artists. In the open hyper competitive broadcasting and digital media environment of today, the principles that underly this change must in turn include recognition that:

- Obligations as between competing radio and digital media must ultimately be equitable;
- In the transition to an equitable regulatory framework, obligations on radio must not unduly harm radio's competitiveness. High regulatory obligations designed to benefit Canadian music, that nevertheless cause radio to lose market share, help no one;
- Radio must retain maximum format and genre flexibility to serve demanding consumer and advertiser needs that can otherwise easily be met elsewhere on digital platforms; and
- Where possible, regulatory incentives rather than requirements should be utilized to support specific policy objectives.

Applying these principles to a refresh of Canadian content requirements and the MAPL system is the focus of the rest of this report.

The Modernization of CANCON and MAPL

Background

2021 will mark the 50th anniversary of Canadian content – that is from the date when the Canadian Radio-television and Telecommunications Commission (CRTC or Commission) first introduced radio policies outlining rules and conditions for Canadian music exposure on Canada's radio stations. The key component of this policy required then dominant AM radio to play no less than 30% Canadian music content as defined by the newly introduced MAPL system. The MAPL system, created in collaboration with Canadian radio, the music industry and the CRTC established strict criteria by which a song would qualify as Canadian content. With few minor adjustments to the criteria over the years, these same rules are still in effect today.

By the mid 70's, the Commission had imposed similar Canadian content quotas for FM music radio stations through license conditions requiring *up to* 30% of popular music, depending on format, to meet two of the four MAPL criteria. In 1990, the Commission confirmed that all popular music stations, whether AM or FM, would have to meet a Canadian content quota of 30%. In 1998, the Commission increased the quota for popular music from 30% to 35%, with the new minimum applying to both the 18-hour broadcast day and from 6am to 6 pm Monday to Friday.

The introduction of Canadian content requirements back in the 70's changed the Canadian radio and music industries significantly. While radio had always supported local homegrown artists, it was now mandated to reach a minimum level of airplay regardless of music quality or acceptance by the public. There was a rush in those days to produce qualified Cancon songs that resulted in a "quantity versus quality" dilemma. Simply put, the quality of Cancon releases in those early days did not match up to the quality of the popular international music featured on most radio stations. This resulted in the over-exposure of those proven, tried, and true Canadian artists at the time. Artists like Gordon Lightfoot, Anne Murray and the Guess Who dominated radio airplay to meet the 30% commitment and became superstars around the world. At the same time, radio created a new world of "turntable hits". These

were Canadian songs that received regular airplay because of the requirements, yet had little impact on the consumer in terms of popularity or sales. The fact is that even with a guaranteed 30%, and then 35% airplay of Canadian titles, actual retail sales of Canadian titles in those days were half that amount.¹⁸

They were “hits” simply because radio was mandated to play them. Moreover, as the only popular curated music streaming medium of its time, radio was able to absorb an airplay level twice that of the market, because it had few direct competitors for audiences.¹⁹

However, as we look back on those early days of Cancon, we can now stand here today and say that despite the challenges presented by those initial regulations, we now have a viable Canadian music industry that produces an impressive share of international stars. Today, artists like Drake, Justin Bieber, Alessia Cara, and The Weeknd are recognized superstars around the world in the same way Lightfoot, Murray and the Guess Who were years ago – only more so.

But times have changed. Dramatically. In the early days of Cancon, Canadian radio enjoyed a relatively closed market in terms of competition. Audiences were all contained within the contours of our radio signals. Radio’s competition was vinyl, then tape, then CDs. There was no other competing broadcast or electronic medium.²⁰ Radio effectively had the benefit of a “walled garden” in terms of competition for listenership – you either bought your own music, or you listened to radio.²¹ Radio’s available audience was “exclusively” its to entertain and connect with. There was no outside audio competition for a consumer’s share of ear. That is not the case anymore.

Digitization has changed everything. From production to distribution to reception and consumption. Over 20 years ago NAPSTER shook up the music business, with iTunes consolidating that trend. At that time, radio was barely affected.

As already noted, since then, the music industry has bounced back from the negative business effects of digital. It is radio that is suffering.

¹⁸ Data from Statistics Canada filed by the CAB in the 2006 Radio Review indicated that Canadian recordings only comprised 17% of total sales of recordings in 1998 and 16% of total sales of recordings in 2000 and 2003. CAB filing for Broadcasting Public Notice CRTC 2006 - 158 (Page 7, P 52).

¹⁹ Radio still had competitors for advertising (TV, print, billboard), but no significant competitors in audio or the curated music space.

²⁰ Yes, radio had to compete with US border stations, which at their height in 1976 took less than 10% share. S.19.1 of the Income Tax Act, the advertising deductibility provisions introduced that year, took the incentive to target Canadian audience away from US border stations and reduced diverted revenues to near zero. See *Value of Public Support for Broadcasters – Simultaneous Substitution and Tax-based Advertising Incentive*, Nordicity, November 4, 2011. http://www.cbc.radio-canada.ca/_files/cbcrc/documents/latest-studies/nordicity-value-public-support-en.pdf

²¹ That changed with the introduction of music videos in the 1980s, but at least the main and most popular music video services in Canada, MuchMusic and MusiquePlus were Canadian owned and controlled. US owned and controlled Country Music Television (CMT) was allowed into Canada in 1984, but was Canadianized in 1996.

According to Music Canada, recorded music revenues grew 20% from \$425 million in 2014 to \$510 million in 2018.²² By contrast, over this same period, private radio revenues declined by over 6%. In 2019, while recorded music revenues grew further, private radio revenues declined by 4%.²³

Moreover, music royalties and exposure from digital streaming continues to increase:

- According to CRTC estimates, total revenues for audio services in Canada (of which streaming generates the most revenue) have experienced a 21.2% compounded annual growth rate since 2015, reaching \$482.5 million in 2019;²⁴
- As also stated in the Notice, domestic and international royalties have “steadily increased”, with Canadian artists seeing more and more success abroad. SOCAN saw a 37.6% increase in revenue from digital sources from 2018 to 2019 (\$86 million). It also saw \$90.5 million in foreign royalties in 2019, up from \$62.7 million in 2015.²⁵

Meanwhile, the ratio of “natural” market share for Canadian music and Cancon levels has become even more out of synch. As indicated in the Notice, the market share of Canadian artists on domestic music charts (albums and streaming) decreased slightly between 2016 and 2017 (from 21.8% to 19% for albums; from 12.3% to 10.4% for streaming).²⁶

With a 35% Cancon level, **radio is currently being required to absorb an airplay level three times that of the market**, at a time it faces more competition than ever. It doesn’t add up. It isn’t increasing the domestic market share of Canadian artists; it’s just making radio less viable.

Digital is having a profound effect on Canadian radio and the listening habits of Canadians from coast to coast to coast. The new competitive landscape is now borderless. New popular foreign audio services, of all stripes and types, have now permeated the Canadian market. Unlike AM & FM stations, these services are unlicensed and unregulated. The “walled garden” is no more, and this new reality is exemplified by the declines in tuning and revenue to local Canadian radio.²⁷

Competing in a fair and balanced market – Levelling the playing field

Canadian radio is proud of its support for Canadian artists. Radio airplay played a big role in helping elevate Canadian music to the world stage, and that support continues. However, in 2021, radio regulation is out of synch with the competitive realities of an open system.

Regulations concerning content levels, and French vocal content need to be relaxed in order to ensure that over the air AM/FM radio remains competitive in this radically changed media landscape. No one’s interests are served by maintaining legacy content quotas so high that they encourage Canadians to

²² Includes digital and physical sales and other revenue streams such as performance rights and synchronization licenses. Music Canada Statistics <https://musiccanada.com/resources/statistics/>

²³ CRTC Financial Summaries. Canada’s music industry reportedly experienced an 18% growth in audio consumption in 2020. <https://www.billboard.com/p/nielsen-music-mrc-datas-us-year-end-2019-report-canada>

²⁴ CRTC 2020 Monitoring Report.

²⁵ <https://www.socan.com/socan-announces-final-2019-financial-results/> <https://www.socan.com/socan-achieves-record-high-in-royalties-for-music-creators-and-music-publishers/>

²⁶ Notice, para 30. *Evaluation of the Canada Music Fund 2012–2013 to 2017-2018*.

²⁷ See companion reports filed by the CAB in this proceeding for further data and analysis of tuning and revenue declines.

migrate to platforms with no similar requirements. At the same time, new regulations should continue to provide a fair and meaningful support mechanism for our Canadian artists.

While we celebrate the success of those Canadian artists who have achieved international recognition, the fact remains that when it comes to actual sales, and more specifically, actual audio consumption (or usage) of Canadian music, there is a significant gap by any measure. Analyses conducted over the last two decades have shown actual sales of Canadian product being in and around the 10-15% range, well below Cancon levels – and the gap is only increasing. While today physical record sales figures are a less material revenue source, they still provide insight into the relative popularity of music titles. However, we also have other research tools at our disposal to gauge interest and consumption of Canadian music.

Most radio stations across the country conduct regular audience testing of their music libraries in regard to music preferences. The reality is that in a music test of a major market radio station (generally comprising a play list of 1000-1200 songs), only 6% of the top 100 songs are Canadian, and roughly 59% of the lowest testing 100 songs are Canadian. These results are not an anomaly. They are replicated at radio stations in all formats in markets of all sizes, year after year. (Appendix A provides data from online Music Tests conducted from 2016 through 2020 involving close to 17,000 participants.)

Another resource that evaluates music consumption in Canada and North America is MRC Data/BDSradio²⁸. BDSradio captures the usage and consumption of music via on line streaming services such as Spotify, Apple Music, Tidal, You Tube, Soundcloud and Amazon Music.

A review of BDSradio top 1000 titles streamed in Canada on a weekly basis for the 5-month period from October 2020 to February 2021 shows that of 342.4 million total streams, the percentage of Cancon titles streamed was just 7.2%, or 24.5 million streams. Over this same period, French Vocal Music represented just 0.1% of all streaming. (Appendix B)

Canadian radio, playing 35% to even 40% popular Canadian content titles on a weekly basis, is at a distinct disadvantage in competing for today's audio consumer. Other rules and policies set as far back as 1971, and still in effect today, are outdated and detrimental to Canadian radio and music. These regulations need to be modernized in order to achieve a healthier balance between the needs of Canada's vibrant local AM/FM radio and music sectors, that allows both to compete in a market dominated by international players.

A plan that benefits Canadian radio and Canadian music

In May 2020, the Author was retained by the CAB to convene a committee of radio programmers from member stations across the country to review and make recommendations on MAPL and overall airplay options that would inform the CAB's proposal to the CRTC for this proceeding. The committee focused on three areas:

1. Existing regulation impact
2. A review of current MAPL criteria

²⁸ **MRC Data** (formerly **Nielsen SoundScan** and **Nielsen Music Products**) is a provider of music sales [data](#). Established in 1991, data is collected weekly and made available every Sunday (for albums sales) and every Monday (for songs sales) to subscribers, which include record companies, publishing firms, music retailers, independent promoters, film and TV companies, and artist managers. It is the source of sales information for the [Billboard music charts](#).

3. New Cancon credit solutions

The recommendations in this report reflect a combined two hundred and fifty years of experience from the following radio programmers:

- Doug Anderson (Golden West Broadcasting)
- Rob Farina (former Bell Media)
- Christian Hall (Harvard Broadcasting)
- Steve Jones (Stingray Radio)
- Paul Kaye (Rogers Sports & Media)
- Ronnie Stanton (Corus Ent)
- Marc Thibault (former Bell Media - Quebec)
- Martin Tremblay (Cogeco Media)
- Ross Winters (Jim Pattison Broadcast Group)

A primary focus of the committee was to advise on potential Cancon credits to incentivize, rather than mandate, airplay of less commercially viable Canadian music categories. The Committee also addressed specific issues with the MAPL system and reviewed common music conditions of license for impact and relevance. The committee paid particular attention to new and emerging artists and how Canadian radio can continue to support this important sector of the music industry.

The result of our deliberations is the following 10-point plan for the modernization of Commercial Radio Canadian content regulations:

- 1. Reset the minimum Cancon level to 25%.** Playing 35% Canadian content in today's audio environment has put Canadian radio at a clear disadvantage compared to the unregulated digital audio providers that compete for the same share of ear. Radio broadcasters recognize that Cancon works and has benefited the Canadian music industry. But, to continue to reap this benefit in a digital world, the minimum level of Canadian content on commercial radio must be reduced. Such an amendment is critical to sustaining a viable radio industry in Canada and will allow stations to compete on a more balanced playing field with unregulated digital music services now available to all Canadians. Music stations licensed on the basis of higher Cancon levels would migrate to this new level upon completion of a full seven year licence term. It is no coincidence that tuning to radio across the country has declined dramatically since the introduction of the internet and in particular digital music streaming services. Spotify, Accuradio, You Tube Music, Apple Music, Amazon, Google Play, LiveXLive (formerly Slacker Radio) & Deezer are prime examples of the new competition for the Canadian consumer, and while Canadian content is available on these services, there is no regulation that guarantees a minimum level of Canadian content exposure. This means that, as discussed above, Cancon levels are on average three times higher on radio than its competitors. With the steady growth of streaming consumption as more and more Canadians migrate to digital platforms, Canadian over the air radio stations are increasingly challenged with declining audience levels. Canadian radio wants to and will continue to support our home-grown Canadian artists. Re-setting the minimum Cancon requirement to 25% would be a realistic and sustainable baseline level for continued operations. Even at 25%, this Cancon level would represent more than twice the demonstrated consumer demand for Canadian music. Canadian radio is honoured to support Canadian music but cannot continue to do so at a material detriment to its success.

For Category 3 specialty licences it is recommended that Canadian content quota levels for other music categories be reduced by a similar percentage, namely:

- Content category 3 – Special Interest Music: 7% in a broadcast week
- Content subcategory 31 – Concert: 15% in a broadcast week
- Content subcategory 34 – Jazz and Blues: 10% in a broadcast week

2. **Creating a 150% Emerging Artist Credit.** The Canadian music industry must continue to foster and develop our future superstars and Canadian radio is in an ideal position to help accelerate and promote this sector of our industry. This credit would provide an incentive for those current based music formats to focus on featuring new and emerging artists as part of their daily playlist. Each qualified artist would be credited as receiving a 50% spin count. (i.e. 1.5 spins) that in turn would help stations maintain their minimum weekly Cancon commitment. For French-language stations, this 50% spin credit would also be applied against French Vocal Music requirements.

As context, we note that in 2011, the Commission concluded that Canadian radio stations provided a reasonable amount of airplay for emerging artists, and decided against the imposition of a minimum airplay level. In 2013, however, it accepted a minimum emerging artist airplay commitment from Bell Media of 25% of Canadian Content on 29 stations with AC and Modern rock formats, as well as financial support, as benefits in the Astral acquisition.²⁹ Creation of a 150% Emerging Artist Credit would extend and expand support for emerging artists in a manner appropriate to the time. Our modelling shows a material increase in emerging artist airplay in contemporary formats.³⁰

Further, the current definition of an emerging artist is out of date and does not consider the impact digital streaming now has on chart status. The definition should center around a song's commercial release, in the same manner that FACTOR/MusicAction currently employ in their policies. In today's environment where music proliferation is everywhere, three years is simply not enough time for most new artists to break through. There are numerous examples of artists still struggling to make it three years after their first commercial release. We need to give the artist time to connect and grow their career. Extending the window to five years will be an advantage for the artist as radio will continue to play them under the "emerging artist" umbrella.³¹

²⁹ Broadcasting Regulatory Policy CRTC [2011-316](#) and <https://crtc.gc.ca/eng/archive/2013/2013-310.htm>

³⁰ Contemporary format stations currently play between 15% and 40% emerging artists, at an average in the low 20% range for non Bell Media stations. We estimate that the proposed credit would bring average contemporary emerging airplay to the 30% range.

³¹ For example, the band "Monowhales" debuted in 2017 but only achieved limited airplay on radio in 2017-2019, until the release of their song "Really Wanna Let You Down" broke through in early 2020 and charted to #1 on the Canadian Alternative Chart. Since then, 2 subsequent singles have mid-charted in Canada. Now 4+ years into their career, it's safe to say they haven't "made it" on a global scale but this latest round of success is paving a better path for them moving forward proving 5 years is a good runway for a new band to at least make a mark in today's world.

New proposed definition: *Any song performed (or in the case of duet or collaboration, primarily performed) by a Canadian whose first commercial release was less than five years from the date of the song's commercial release will be considered a song by an emerging artist.* In other words, you get to be an emerging artist for five years from the date of your first commercial release.

3. **Update the 5% Cancon relief policy for oldies formats** This rule was first implemented over 20 years ago at which time the benchmark year was set at 1981 to qualify for the exemption. While it served its purpose at the time, today it is clearly two decades out of date and not keeping in sync with today's competitive reality. The benchmark qualifying date should be moved from 1981 to 2001. Re-setting the date to 2001 will allow gold-based formats where 90% or more of their songs are pre-2001 to qualify for the 5% benefit (i.e. a 20% overall Cancon commitment). Re-establishing the original minimum qualifying age for "oldies" would also help maintain a measure of competitive equilibrium between oldies formats and current based formats that are in a position to take advantage of the emerging artist credit. Going forward, we recommend that the benchmark year become a floating benchmark that is calculated by subtracting 20 years from the current date. This will ensure this guideline stays up to date without ongoing reviews of radio regulations. Given the unique situation in Quebec and the over exposure of French Vocal Music that is problematic, the benchmark should be 10 years or more for Quebec based licensees.
4. **Adjust the A (artist) criteria in MAPL to count for 2 points.** This would allow all songs performed by a Canadian artist to be properly recognized and credited as "Canadian". In so doing, it would benefit Canadian artists by affording them the flexibility to collaborate globally without unfairly losing their Canadian content status. In the new digital world, collaboration is often done virtually with artists from around the globe, and Canadian artists should have that same opportunity. When examined in detail by format, our modelling shows virtually no benefit for the Rock, Classic Rock, Classic Hits and Alternative formats. There is a minor lift for the Country and A/C formats (2%) and roughly 3% for the CHR format. (See Appendix C for a list of ineligible songs by Canadian artists)
5. **Update the P (performance) criteria to include production, either produced by a Canadian or produced in a Canadian recording studio.** When the MAPL system was first established in 1971, the criteria for "P" centered around "produced in Canada", but was later amended to refer to "performance", in particular live performances. However, the current CRTC policy features different wording in the Anglo and Franco definitions. While it refers to "performance" in English, the French version uses "production".
 - P (production) – la pièce musicale est une prestation en direct qui est :
 - soit enregistrée en entier au Canada,
 - soit interprétée en entier au Canada et diffusée en direct au Canada.
 - P (performance): the musical selection consists of a live performance that is
 - recorded wholly in Canada, or
 - performed wholly in Canada and broadcast live in Canada

Even among music programmers, there is confusion as to the correct interpretation of the P criterion. We believe the correct test should be “production”, not just “live performance”, and it should be extended to “produced by a Canadian”, not just produced in Canada.

As it stands, even assuming “live performance” can be reasonably interpreted as applicable to any “production”, the current definition ignores a critical component of our music industry, that being the role of the producer. The contributions of such prominent Canadian producers as David Foster, Daniel Lanois, Bob Ezrin, and Bob Rock are not recognized in the current MAPL criteria. Moreover, today, more artists are getting involved in production – whether for their own songs or for others. Michael Buble, Diana Krall, Dallas Green, Kevin Drew and Feist are now actively producing records. Frank Dukes (Camilla Cabello, the Weeknd, Mustafa Ahmed, Frank Ocean) combines production and the creation of beats/samples making the whole craft of production a key creative enterprise. Canadian producers have become as vital a part of the music creation process as writers and musicians, yet currently their contribution is not counted in MAPL. We accordingly propose that the criteria be updated to count either Canadian producer or produced in Canada as qualifying for the P credit. When physically present, the vast majority of Canadian producers would be working in Canadian studios, meaning that the current framing of the “P” credit would remain intact. But adoption of this new approach would ensure that Canadian producers collaborating abroad, or working on plane, would no longer be deemed ineligible.

6. **Hit/Non-hit regulation.** This rule was first introduced in 1975 as a means to ensure that music programming on FM stations complemented, rather than imitated, that presented on AM stations. In 1997, the policy was relaxed in non-bilingual markets, and by 2009 it had been eliminated, except on English-language commercial radio stations in Montréal and Ottawa-Gatineau, in order in order to ‘protect’ French-language broadcasters in those markets.

With the recent announcement by Billboard to now incorporate music video streaming data from Facebook users into its chart positions the net effect of this change will further accelerate a song’s rise up the charts without regard to that song’s relevance or airplay on commercial radio. In other words, a song could become a “hit” long before radio even decides to add the song to its playlist. This will further weaken radio’s ability to compete against the digital streaming services already eroding its audience. Hit/non-hit policy must reflect such marketplace changes.

7. **Eliminate all Category 3 conditions of license for Category 2 music stations.** In an effort to promote diversity of formats, some non-specialty format radio stations are mandated by their license to play a percentage of category 3 music, often in the range of 10-15%. The result is that otherwise mainstream stations play jazz or blues music for a few hours late at night, generally to very low ratings. Today, the need to provide that level of diversity on Canadian radio is diminished by the presence of digital music streaming services. Canadian companies like Stingray Music, CBC Music, and RadioPlayer Canada provide dedicated digital streaming channels of non-stop specialty music formats like jazz, blues, and classical. International providers like Spotify, Apple Music, Amazon Music, and iHeartRadio also provide the same.

Listeners who wish to hear specialty music now have access to it 24/7 via digital streams, and they are less likely to tune into a mainstream radio station for a late-night or weekend specialty music program. Today these conditions of license only serve to prevent terrestrial radio stations from maximizing their potential audience.

8. **Revise the current measurement window to 5a-7p M-F and 5a-1a all week.** The current regulation of 6a-6p Monday to Friday does not accurately reflect today's prime time listening window. Commercial radio now identifies morning drive starting at 5am during the week. Key morning show talent start their shows at either 5 or 5:30 am, not 6 am. Station advertising rate cards reflect this in their time blocks. Further, today's work environment features flexible working hours, the result of which is more and more tuning taking place prior to 6am. Similarly, the current industry afternoon time block is 3-8 pm for sales purposes, which again accounts for the increase in flexible work hours in the workforce. There is a significant amount of tuning taking place up to 7 pm.
9. **French Vocal Music requirements must be more realistic and attainable.** With the issuing of Broadcasting Notice of Consultation CRTC 2015-318, the Commission acknowledged the concerns around maintaining a competitive audio landscape in Quebec given the proliferation of new digital audio services for broadcasters who are faced with a regulatory requirement of playing 65% French language vocal music on a daily basis. The Commission correctly noted the decline in Francophone tuning at that time which has continued to this day, along with declines in advertising revenue. Francophone radio must be given regulatory flexibility in order to compete with digital services that are not burdened with regulation. Resetting FVM requirements will still allow Francophone radio to support its French culture and music industry while at the same time create a more compelling product to help maintain its audience.
10. **Create a spin credit for a Quebec artist singing in another language.** This would be applied against the French Vocal Music requirement and would help fulfil the need for Francophone radio to compete on a more balanced playing field with the new digital audio competitors while still supporting homegrown artists. The credit would reduce the FVM quota by a percentage equivalent to the percentage of vocal musical selections by Quebec artists singing in a language other than French, up to 10%.

Conclusions

Canadian radio is subject to regulatory conditions in support of Canadian music and artistic talent that were imposed at a time when it was the only popular music or audio medium available to Canadians, and when Canadian music was under developed in Canada and nascent on the global stage. Today, leading Canadian musical artists regularly achieve significant international success, and the Canadian music industry is seeing significant revenue growth from domestic and international sources. Meanwhile radio has come under heavy fire with the arrival of the new (and unregulated) digital media, eroding its audiences and revenues.

There is no doubt that COVID-19 has hit both sectors hard. However, indications are that, with the return of live music, the Canadian music industry will bounce back, while Canadian radio will suffer increased and permanent negative structural impacts.

The modernization of Canadian content requirements and the MAPL system is an important and necessary step to maintain a healthy and vibrant radio system in Canada for the benefit of all Canadians. Radio is proud of its support for Canadian artists and that support will continue. With a new, updated, and relevant radio policy from the Commission, Canadian radio can and will weather the current business challenges facing our industry. We've done it before, and we can do it again. However, to do so, we need the support and understanding of this Commission to provide us with the proper tools to fight this battle.

10-point plan for the modernization of our Canadian content regulations:

1. **Overall Canadian content levels for Category 2 reduced to 25%**
2. **Creation of a 150% Emerging Artist Credit**
3. **Update the 5% Cancon relief policy for oldies formats**
4. **Adjust the A (artist) criteria in MAPL to count for 2 points**
5. **Update the P (performance) criteria to include production**
6. **Review Hit/Non-Hit regulation**
7. **Eliminate all Category 3 conditions of license for Category 2 music stations**
8. **Revise the current measurement window**
9. **Reset French Vocal Music levels**
10. **Create a spin credit for a Quebec artist singing in another language**



CANCON MUSIC TESTING RESULTS

DB Media and P1 Media Group have been conducting Radio Music Tests in the US, Canada and around the world since 2002.

The data generated from this analysis is from multiple Online Music Tests conducted from 2016 through 2020. The tests are a sampling of multiple formats in many markets across Canada. Formats include: Classic Rock, CHR, Adult Hits, Hot AC, Country, Mainstream Rock, Classic Hits and Alternative. Markets include Vancouver, London, Edmonton, Toronto, Hamilton, Calgary, Victoria and Winnipeg.

SONG TESTING METHODOLOGY AND PARTICIPANT RECRUITMENT:

- Participants were recruited by various methods including station database outreach, on-air solicitations, station websites and social platforms as well as from Canadian online panel providers
- 16786 participants ages 18-59 took part in these Music Tests via CAWI (Computer Aided Web Interviews)
- Songs were scored on a 0-100 scale
- 13672 individual song scores were analyzed
- 9902 (72%) of the songs tested were International; 3770 (28%) of the songs tested were Cancon
- Songs from 1960-2020 were tested with era details in the chart below:

Number of titles tested by decade					
Titles 1960-1969	Titles 1970-1979	Title 1980-1989	Titles 1990-1999	Titles 2000-2009	Titles 2010-2020
373	2300	3372	2655	1841	3131

TOP AND BOTTOM TESTING SONGS

Below is the analysis of the top and bottom testing International and Cancon songs defined as the “Top 20%” & “Bottom 20%” of **all songs tested**.

Canadian Music Testing Results International & Cancon Analysis - Total Songs Tested			
Top 20% Analysis			
International	Supporting Math	Cancon	Supporting Math
18.1% of the Top 20% of ALL songs tested are International	2475 International songs > 20% ÷ 13672 (Total Universe) = 18.1%	2.3% of the Top 20% of ALL songs tested are Cancon	312 Cancon songs > 20% ÷ 13672 (Total Universe) = 2.3%
Bottom 20% Analysis			
International	Supporting Math	Cancon	Supporting Math
10.7% of the Bottom 20% of ALL songs tested are International	1461 International songs < 20% ÷ 13672 (Total Universe) = 10.7%	8.3% of the Bottom 20% of ALL songs tested are Cancon	1135 Cancon songs < 20% ÷ 13672 (Total Universe) = 8.3%

The data from the chart above demonstrates that a much higher percentage of the **most popular** songs tested are International vs. Cancon even when factoring the lower percentage of Cancon songs tested.

PLAYABILITY

Another metric used in this analysis is “Playability”. It is widely agreed with a 0-100 scoring system that a score of “65” or higher is a song that is well liked and “playable”. Here are the results of Playability Analysis for the 13672 individual song scores gathered:

PLAYABILITY WITHIN ALL SONGS TESTED

Canadian Music Testing Results		
Songs Scored over 65 of ALL SONGS TESTED		
Criteria	Results	Supporting Math
Number of International songs over "65"	5291	5291 ÷ 13672 (Total Universe) = 39%
Percentage of International Songs over "65" of all songs tested	39%	
Number of Cancon songs over "65"	877	877 ÷ 13672 (Total Universe) = 6%
Percentage of Cancon Songs over "65" of all songs tested	6%	

PLAYABILITY WITHIN INTERNATIONAL AND CANCON SEPARATE UNIVERSES

Another way to look at Playability is to look at how songs performed separately, within both the International and Cancon Universes.

Canadian Music Testing Results		
Songs Scored over 65 within SEPARATE INTERNATIONAL & CANON UNIVERSES		
Criteria	Results	Supporting Math
Number of International songs over "65"	5291	5291 ÷ 9902 (International Universe) = 53%
Percentage of International Songs over "65" of all INTERNATIONAL songs tested	53%	
Number of Cancon songs over "65"	877	877 ÷ 3770 (Cancon Universe) = 23%
Percentage of Cancon Songs over "65" of all CANCON songs tested	23%	

This analysis suggests, given current Cancon mandates, that Canadian radio stations are required to play more unpopular songs and fewer popular songs making Canadian Broadcast Radio less competitive in an increasingly world-wide audio marketplace.

**CANADIAN CONTENT CONSUMPTION
ON-DEMAND AUDIO STREAMING IN CANADA
A REPORT FOR
THE CANADIAN ASSOCIATION OF BROADCASTERS**

Compiled by Forsyth Consulting

March 2021

CAB AUDIO STREAMING REPORT

OBJECTIVE:

This report was commissioned by the Canadian Association of Broadcasters (CAB) to assess the usage and consumption of music in Canada via on-demand services. In particular the report looks to the role Canadian music plays in this consumer driven market.

Specifically, the study views On-Demand or “Pull” streaming. Streaming initiated by the user as opposed to the “Push” of Programmed exhibition typical of broadcast and some internet distributed audio services. On-demand streaming comprises of Audio and Video services. For further identification, the On-Demand data is sourced from *MRC Data/ BDSradio* and is aggregated from the following services

Spotify	Audio & Video	OnDemand
Apple Music	Audio & Video	OnDemand
TIDAL	Audio & Video	OnDemand
YouTube (including Vevo On YouTube) click for FAQ	Audio & Video (BDSradio includes Official and Song UGC streams)	OnDemand
SoundCloud	Audio	OnDemand
Slacker	Audio	OnDemand & Programmed
Napster	Audio	OnDemand & Programmed
Amazon Music	Audio	OnDemand & Programmed
Vevo	Video	OnDemand

For clarity, the definitions of On-Demand and Programmed follow:

TYPES OF STREAMS

OnDemand describes songs or videos that a viewer or listener chooses to play. This is also referred to as a "pulled" stream. OnDemand streams include tethered streams which are downloaded through a music subscription service and listened to on a PC or mobile device while the user has an account with the service. Once the user's subscription ends all of the tethered downloads expire as well.

Programmed describes songs or videos that are not chosen by the listener or viewer but are programmed and are continuously broadcast by the streaming service. This is also referred to as a "pushed" or "curated" stream.

METHODOLOGY:

The report is drawn from 7 day On-Demand Audio and Video tracked once a month basis from October 2020 to February 2021.

The streams are compiled as FMV (French Vocal Music) , Anglo (non-FVM) music, CanCon (CC) and Foreign (Non-Canadian).

The data is drawn and compared on three levels of depth ; Top 1,000, Top 5,000 and Top 10,000 Streams.

FINDINGS:

The complete Summary Tables are attached in APPENDIX 1

1. On average over the five-month study, Canadians generated almost 900 million streams weekly from the Top 10,000 titles.

Table 1 High / Low / Average Usage	
Week	TOTAL ON DEMAND AUDIO+VIDEO STREAMS
4 - 10 DECEMBER 20	948,873,340
2 - 8 JANUARY 21	815,244,416
5 Month Avg	893,702,946

The period with the highest usage is pre-Holidays December 4 – 10. While the lowest usage is directly after the Holidays January 2 – 8.

2. **Canadian music (FVM and Anglo) makes up on average of 7% of the Total usage in all three depths**

In the Top 10,000 Anglo 6.6% FVM 0.4% Total 7.0%

In the Top 5,000; Anglo 6.6% FVM 0.2% Total 6.9%

In the Top 1,000; Anglo 7.1% FVM 0.1% Total 7.2%

3. On average, Canadian Anglo as a subset of all Anglo music does see an uptick as the universe narrows.
 - Of the top 10,000 Anglo titles almost 59 million streams (**7.1%**) are CanCon.
 - Of the top 5,000 Anglo titles nearly 47 million streams (**7.1%**) are CanCon.
 - Of the top 1,000 Anglo titles 24.3 million streams (**7.6%**) are CanCon.

This increase in the Top 1,000 titles can be attributed to a high concentration of streams generated by artists like Drake, and The Weeknd driving CanCon streams. In particular The Weeknd's Super Bowl Appearance in February drives the Anglo CanCon to the highest usage in the study.

- In the February top 10,000 streams The Weeknd has 42 titles pushing CanCon to **7.8%** of all Anglo streams.
 - In the top 5,000 streams, his 37 titles increase the usage of Anglo CanCon to **8.1%** of all Anglo streams.
 - In the top 1,000 The Weeknd has almost a quarter (23%) of Anglo CanCon titles driving CanCon to **9.8%** of all Anglo streams.
4. On Average, Canadian FVM, while a small subset of the streaming universe captured in this study, does perform well compared to non-Canadian FVM.
- In the top 10,000 titles 5,186,346 streams (0.6%) are FVM. Of those streams 3,691,096 are CanCon and account for **70.9%** of the FVM usage.
 - In the top 5,000 titles 2,538,849 streams (0.4%) are FVM. Of those 1,732,696 streams are CanCon and account for **67.9%** of the FVM usage.
 - In the top 1,000 titles 305,590 streams (0.1%) are FVM. All of those streams (**100%**) are CanCon and were generated by one title "*L'amerique Pleure*" by the Quebecois group Les Cowboys Fringants.
5. Given the ability to determine their own preference with regard to music choices, Canadians consuming music via the aggregated streaming services noted above typically select Canadian titles* as **7%** of their audio usage.

*Qualifying as Canadian Content under the current CRTC MAPL regulation

APPENDIX 1 - Summary Tables

Canada Five Month On-Demand Streaming			TOP 5,000 STREAMS						Source MRC Data		
Week	TOTAL ON DEMAND AUDIO+VIDEO STREAMS	Percent Streams	Comparison to Total Streams						CC % of FVM	CC% of Anglo	
			FVM ALL	FVM For	FVM CC	All CC	Anglo CC	Anglo Foreign			All FOREIGN
3 - 9 OCTOBER 20	723,645,446		0.3%	0.1%	0.2%	6.7%	6.4%	93.2%	93.3%	65.5%	6.9%
			2,483,917	857,251	1,626,666	48,135,859	46,509,193	674,652,336	675,509,587		
6 -12 NOVEMBER 20	713,964,324		0.4%	0.1%	0.2%	6.4%	6.1%	93.5%	93.6%	65.7%	6.6%
			2,525,983	865,508	1,660,475	45,521,784	43,861,309	667,577,032	668,442,540		
4 - 10 DECEMBER 20	755,182,707		0.4%	0.1%	0.3%	6.9%	6.6%	93.0%	93.1%	75.0%	7.0%
			3,077,460	770,116	2,307,344	51,837,852	49,530,508	702,574,739	703,344,855		
2 - 8 JANUARY 21	644,983,950		0.4%	0.1%	0.2%	6.7%	6.5%	93.2%	93.3%	69.3%	7.0%
			2,290,595	703,382	1,587,213	43,451,624	41,864,411	600,828,944	601,532,326		
6 - 12 FEBRUARY 21	705,649,837		0.3%	0.1%	0.2%	7.7%	7.4%	92.2%	92.3%	64.0%	8.1%
			2,316,290	834,506	1,481,784	54,037,727	52,555,943	650,777,604	651,612,110		
5 Month Avg	708,685,253		0.4%	0.1%	0.2%	6.9%	6.6%	93.0%	93.1%	67.9%	7.1%
			2,538,849	806,153	1,732,696	48,596,969	46,864,273	659,282,131	660,088,284		

Compiled: Forsyth Consulting

Canada Five Month On-Demand Streaming			TOP 1,000 STREAMS						Source MRC Data		
Week	TOTAL ON DEMAND AUDIO+VIDEO STREAMS	Percent Streams	Comparison to Total Streams						CC % of FVM	CC% of Anglo	
			FVM ALL	FVM Foreign	FVM CC	All CC	Anglo CC	Anglo Foreign			All FOREIGN
3 - 9 OCTOBER 20	353,822,521		0.1%	0.0%	0.1%	6.7%	6.6%	93.3%	93.3%	100.0%	7.1%
			272,194	0	272,194	23,593,492	23,321,298	330,229,029	330,229,029		
6 -12 NOVEMBER 20	344,309,131		0.1%	0.0%	0.1%	6.3%	6.2%	93.7%	93.7%	100.0%	6.6%
			328,738	0	328,738	21,612,283	21,283,545	322,696,848	322,696,848		
4 - 10 DECEMBER 20	372,570,444		0.1%	0.0%	0.1%	7.0%	6.9%	93.0%	93.0%	100.0%	7.4%
			467,320	0	467,320	26,082,397	25,615,077	346,488,047	346,488,047		
2 - 8 JANUARY 21	307,371,334		0.1%	0.0%	0.1%	7.0%	6.9%	93.0%	93.0%	100.0%	7.4%
			227,844	0	227,844	21,580,082	21,352,238	285,791,252	285,791,252		
6 - 12 FEBRUARY 21	334,062,299		0.1%	0.0%	0.1%	9.0%	8.9%	91.0%	91.0%	100.0%	9.8%
			231,853	0	231,853	30,043,614	29,811,761	304,018,685	304,018,685		
5 Month Avg	342,427,146		0.1%	0.0%	0.1%	7.2%	7.1%	92.8%	92.8%	100.0%	7.6%
			305,590	0	305,590	24,582,374	24,276,784	317,844,772	317,844,772		

Compiled: Forsyth Consulting

Canada Five Month On-Demand Streaming		TOP 10,000 STREAMS							Source MRC Data		
Week	TOTAL ON DEMAND AUDIO+VIDEO STREAMS		Comparison to Total Streams						CC % of FVM	CC% of Anglo	
			FVM ALL	FVM For	FVM CC	All CC	Anglo CC	Anglo Foreign			All FOREIGN
3 - 9 OCTOBER 20	910,119,052	Percent	0.5%	0.2%	0.4%	6.9%	6.5%	93.0%	93.1%	70.1%	7.0%
		Streams	4,977,882	1,485,967	3,491,915	62,423,400	58,931,485	846,209,685	847,695,652		
6 -12 NOVEMBER 20	900,726,110	Percent	0.6%	0.2%	0.4%	6.7%	6.3%	93.1%	93.3%	69.9%	6.8%
		Streams	5,333,565	1,604,622	3,728,943	60,387,079	56,658,136	838,734,409	840,339,031		
4 - 10 DECEMBER 20	948,873,340	Percent	0.7%	0.2%	0.5%	7.0%	6.5%	92.8%	93.0%	76.6%	7.0%
		Streams	6,212,310	1,451,045	4,761,265	66,598,232	61,836,967	880,824,063	882,275,108		
2 - 8 JANUARY 21	815,244,416	Percent	0.6%	0.2%	0.4%	6.9%	6.5%	92.9%	93.1%	71.8%	7.0%
		Streams	4,624,360	1,306,146	3,318,214	56,348,468	53,030,254	757,589,802	758,895,948		
6 - 12 FEBRUARY 21	893,551,810	Percent	0.5%	0.2%	0.4%	7.6%	7.2%	92.3%	92.4%	66.0%	7.8%
		Streams	4,783,611	1,628,470	3,155,141	67,616,732	64,461,591	824,306,608	825,935,078		
5 Month Avg	893,702,946	Percent	0.6%	0.2%	0.4%	7.0%	6.6%	92.8%	93.0%	70.9%	7.1%
		Streams	5,186,346	1,495,250	3,691,096	62,674,782	58,983,687	829,532,913	831,028,163		

Compiled: Forsyth Consulting

APPENDIX C – Non-Qualifying Songs by Canadian artists under current regulations
(Random Selection)

Bryan Adams	Everything I Do (I Do It For You)
Bryan Adams	Can't Stop This Thing We Started
Bryan Adams	Have You Ever Really Loved A Woman
Bryan Adams	Please Forgive Me
Bryan Adams	There Will Never Be Another Tonight
Bryan Adams	Let's Make A Night To Remember
Bryan Adams/Rod Stewart/Sting	All For Love *Bryan was also one of 3 writers
Justin Bieber	One Time
Justin Bieber	Somebody To Love
Justin Bieber	Boyfriend
Justin Bieber	What Do You Mean?
Justin Bieber	Sorry
Justin Bieber	Company
Justin Bieber	Love Yourself
Justin Bieber	Yummy
Justin Bieber & BloodPop	Friends
Justin Bieber feat Ludacris	Baby
Justin Bieber ft. Big Sean	As long as you love me
Justin Bieber ft. Jaden Smith	Never Say Never
Justin Bieber ft. Ludacris	All around the world
Justin Bieber ft. Nicki Minaj	Beauty & A Beat
Justin Bieber ft. Post Malone & Clever	Forever
DJ Snake ft. Justin Bieber	Let Me Love You
Justin Bieber ft. Quavo	Intentions
David Guetta ft. Justin Bieber	2U
Justin Bieber	The Christmas Song
Justin Bieber	All I want for Christmas

Justin Bieber ft. Boyz II Men	Fa la la la
Justin Bieber	Only Thing I Ever Get For Christmas
DJ Snake f/Justin Bieber	Let Me Love You (Bieber is 100% vocals)
Major Lazer f/Justin Bieber & MO	Cold Water (Bieber is majority vocals)
Skrillex & Diplo f/Justin Bieber	Where Are U Now (Bieber is 100% vocals)
Luis Fonsi, Daddy Yankee, Justin Bieber	Desposito (Bieber is Canadian)
Ed Sheeran & Justin Bieber	I Don't Care
Paul Brandt	We Are The One
Paul Brandt	Calm Before The Storm
Paul Brandt	Scrap Piece of Paper
Michael Buble	Let It Snow
Michael Buble	White Christmas
Michael Buble	Holly Jolly Christmas
Michael Buble	The More You Give
Michael Buble	The Christmas Song
Buble/Idina Menzel	Baby, It's Cold Outside
Michael Buble	How Can You Mend A Broken Heart
Michael Buble	Kissing A Fool
Michael Buble	Spiderman Theme
Michael Buble	Save The Last Dance For Me
Michael Buble	Moondance
Michael Buble (F. Sharon Jones)	Baby (You've Got What It Takes)
Michael Buble	Frosty The Snowman
Michael Buble	Have Yourself A Merry Little Christmas
Michael Buble	I'll Be Home For Christmas
Michael Buble	It's Beginning To Look A Lot Like Christmas
Michael Buble (F. Puppini Sisters)	Jingle Bells
Michael Buble	Santa Clause Is Coming To Town
Michael Buble	Winter Wonderland

Michael Buble	The More You Give (The More You'll Have)
Michael Buble	Love You Anymore
Alessia Cara	I'm Yours
Zedd & Alessia Cara	Stay (Alessia is 100% vocals)
Daniel Caesar	Japanese Denim
Daniel Caesar	Cyanide
Terri Clark	Poor, Poor Pitiful Me
Terri Clark	Better Things To Do
Terri Clark	Girls Lie Too
Terri Clark	A Little Gasoline
Terri Clark	Three Mississippi
Terri Clark	The World Needs A Drink
Terri Clark	Gypsy Boots
Celine Dion	My Heart Will Go On
Celine Dion	Because You Loved Me
Celine Dion	It's All Coming Back To Me Now
Celine Dion	That's The Way It Is
Celine Dion	The Power Of Love
Celine Dion	I Drove All Night
Celine Dion	Where Does My Heart Beat Now
Celine Dion/Peabo Bryson	Beauty & The Beast
Celine Dion	Love Can Move Mountains
Celine Dion	All By Myself
Drake	Find your love
DJ Khaled ft. Drake	For Free
Drake ft. Michael Jackson	Don't Matter To Me
Nelly Furtado	Maneater
Nelly Furtado	Promiscuous
Grandson	Rock Bottom

High Valley	One Day You'll Get It
High Valley	Northern Star
High Valley	Show Me The Way
Carly Rae Jepsen	This Kiss
Carly Rae Jepsen	Tonight I'm getting Over You
Carly Rae Jepsen	Run Away With Me
Carly Rae Jepsen	Your Type
Carly Rae Jepsen	I Really Like You
Carly Rae Jepsen	Take A Picture
Carly Rae Jepsen	Too Much
Carly Rae Jepsen	Now That I Found You
Owl City & Carly Rae Jepsen	Good Time (CRJ is Canadian)
Diana Krall	The Look Of Love
Diana Krall	Jingle Bells
Diana Krall	Just The Way You Are
Diana Krall	Temptation
Diana Krall	Let's Fall In Love
Diana Krall	S'Wonderful
Diana Krall	Peel Me A Grape
Diana Krall	Have Yourself A Merry Christmas
Diana Krall	I Can't Tell You Why
Diana Krall	Let's Face The Music And Dance
Diana Krall	Why Should I Care
Diana Krall	The Heart of Saturday Night
Diana Krall	Walk On By
Diana Krall	Deed I Do
Diana Krall	Christmas Time Is Here
Diana Krall	I Remember You
Diana Krall	Fly Me To The Moon

Diana Krall	You're Getting To Be A Habit With Me
Diana Krall	Just Like A Butterfly Caught In The Rain
Diana Krall	Exactly Like You
Diana Krall	Stop This World
Diana Krall	Sleigh Ride
Diana Krall	Let It Snow
Diana Krall	Santa Clause Is Coming To Town
Diana Krall	It Could Happen To You
Diana Krall	Come Dance With Me
Diana Krall	Pick Yourself Up
Diana Krall	The Boy From Ipanema
Diana Krall	Cry Me A River
Diana Krall	Love Me Like A Man
Diana Krall	All Or Nothing At All
Diana Krall	I've Got You Under My Skin
Diana Krall	Frim Fram Sauce
Diane Krall	I'll Be Home For Christmas
Avril Lavigne	Here's to Never Growing Up
Sarah McLachlan	Christmas Time Is Here
Sarah McLachlan	Have Yourself A Merry Little Christmas
Sarah McLachlan	O Little Town Of Bethlehem
Sarah McLachlan	The First Noel/Mary Mary
Shawn Mendes	If I Can't Have You
Shawn Mendes & Camila Cabello	Senorita
Shawn Mendes	In My Blood
Shawn Mendes	There's Nothing Holdin' Me Back
Shawn Mendes	Lost in Japan
Shawn Mendes ft. Camila Cabello	I Know What You Did Last Summer
Shawn Mendes	Mercy

Anne Murray	Nobody Loves Me Like You Do
Anne Murray	Could I Have This Dance
Anne Murray	Walk Right Back
Anne Murray	I Just Fall In Love Again
Anne Murray	Danny's Song
Anne Murray	Time Don't Run Out On Me
Anne Murray	You Needed ME
Anne Murray	Now And Forever
Anne Murray	A Little Good News
Nav	Know Me
Nav	I Call Her Name
Jesse Reyez	Far Away
Jesse Reyez	Apple Juice
Tenille Townes	Holding Out For The One
Tenille Townes	Somebody's Daughter (Acoustic)
Tenille Townes	I Kept The Roses
Tenille Townes	In My Blood
Tenille Townes	Where You Are
Tenille Townes	Lighthouse
Tenille Townes	Find You
Tenille Townes	The Way You Look Tonight
Tenille Townes	When I Meet My Maker
Shania Twain	You Win My Love
Shania Twain	What A Way To Wanna Be
Shania Twain	C'est La Vie
Shania Twain	I Ain't Goin Down
Shania Twain	Whatever You Do Don't
Shania Twain	Juanita
Shania Twain	Home Ain't Where The Heart Is

Shania Twain

Nah

Shania Twain

Raining On Our Love

The Weeknd

In The Night

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