

## CIRCUSES & MAGIC SHOWS

Licensing Enquires [licensing@cott.org.tt](mailto:licensing@cott.org.tt) | [www.cott.org.tt](http://www.cott.org.tt)



### BACKGROUND MUSIC IN CIRCUSES & MAGIC SHOWS

Circuses and magic shows are very entertaining. The music played at these types of events help to dramatise the show's theme. Often time you would hear punk, rap and dance genres of music during a performance. Music will also help to keep your audience entertained during intermission.

A COTT licence ensures that you can legally use our extensive repertoire to enhance the experiences derived from the shows and performances. By obtaining our licence you are ensuring that the creators behind the music you use are compensated.

Our licence covers the Copyright [CR] in the musical works and Publishers and the Neighbouring Rights [NR] in the sound recordings.

REGISTERED OFFICE:  
BRANCHES:

139 - 141 Abercromby Street, Port of Spain  
15B Carib Street, San Fernando  
19 Dutch Fort, Lal's Building, Scarborough, Tobago

PHONE: 624 - COTT (2688)  
PHONE: 657 - COTT (2688)  
PHONE: 635 - COTT (2688)

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### SCOPE AND APPLICABILITY OF TARIFF

This tariff covers the public performance of music from COTT's repertoire as general background music at both temporary and/or permanent open-air and similar in-door facilities.

### HOW MUCH WILL IT COST ANNUALLY

The following rates apply to all royalties falling due from **1<sup>st</sup> January 2023**

ANNUAL LICENCE	CR	NR
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This licence shall be pro-rated for durations less than 12 months. Minimum duration 3 months.

Up to 500 seating capacity	15,497.63	12,398.11
500 and over seating capacity	17,822.28	14,257.82

#### PERMIT ROYALTY

[Applicable for up to 7 shows ONLY]

➤ The permit royalty per show / performance is as follows: -

Up to 250 seating capacity	188.42	150.73
251 to 500 seating capacity	198.33	158.67
501 seating capacity and over	222.13	177.71

CR

NR

TOTAL

#### WORKED EXAMPLE:

The Floppy Hat Circus is in town. The circus tent has a seating capacity of 385 seats. Floppy Hat has background music playing during between acts and during the intermission from a pre-determined playlist. There will be 3 shows during the time the circus is in town.

251 - 500 seating capacity	CR - [198.33 x 3 shows]   NR - [158.67 x 3 shows]	595.00	476.00	1,071.00
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Licence Fee

**\$1,071.00**

## DEFINITIONS

**“Background Music”** means music performed by mechanical means other than to accompany featured or live performances.

**“COTT’s Repertoire** means all and any musical works (including words associated therewith) and sound recordings, in which the right of public performance, communication to the public and broadcast is controlled by COTT or by any of the societies in other countries with which COTT is affiliated.

**“Copyright”** is a property right which subsists in literary and artistic works that are original intellectual creations. <http://ipo.gov.tt/types-of-ip/copyright/> .

**“Neighbouring Rights”** are similar to copyright. These rights exist in the public performance of a sound recording. Neighbouring rights are collected on behalf of performers and producers of sound recordings.

**“Public Performance”** means music played outside the normal circle of friends and family that occurs in any public place. A public performance also occurs when music is transmitted to the public, via radio, TV broadcasts, digital service providers, and any other means.

**“Seating Capacity”** is essentially how many seats that can be accommodated during a show.

## GENERAL TERMS AND CONDITIONS

- ❖ COTT reserves the right to make such variations to this tariff it considers appropriate where performance particulars have changed; including but not limited to the way in which the music is made accessible to the public.
- ❖ COTT is not bound to adhere to the rates quoted in this tariff in respect of any performances for which an application was not made in advance.
- ❖ Licensees under this tariff shall provide COTT with the actual particulars to enable us to calculate the royalty due. If the actual particulars are not known an estimated figure would be used to calculate the fees payable.
- ❖ Upon completion of the event, we may, require you to complete a re-assessment form or statement declaring the actual particulars of your event. This information must be completed and returned to COTT within 7 days after the Event.
- ❖ Should the Licensee fail to provide actual particulars in accordance with COTT’s General Terms and Conditions, COTT reserves the right to make a reasonable estimate of the particulars and to invoice the Licensee accordingly.
- ❖ All information provided must be certified by an Auditor or in a manner acceptable to COTT.

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### PERFORMANCE PARTICULARS

Licensees are required to provide COTT with the seating capacity of the venue in addition to the number of shows or duration of the event.

### PAYMENT OF ROYALTIES

The royalties due under this tariff are payable on account immediately upon receipt of COTT's invoice. The sum invoiced is based on the particulars available to COTT at the time of issuing the invoice. Any charge made under such invoice may be adjusted after the Licensee has furnished COTT with details of the actual performance particulars.

Should the Licensee fail to pay any sum due and payable within 30 days of COTT's invoice, without prejudice to any other rights it may have, COTT reserves the right to charge the Licensee interest on the amount overdue calculated daily at the rate of 1.5 percent per annum above the base lending rate as per the Central Bank of Trinidad and Tobago.

All royalties payable under this Tariff are exclusive of Value Added Tax or other governmental taxes or levies of any kind.

### ROYALTY ADJUSTMENT

COTT reserves the right to adjust the royalties payable under this tariff every year by the percentage (to the nearest whole percentage point) by which the Retail Prices Index published by the Central Statistical Office changed when compared with the figure for the previous year. provided that: -

1. We provide you with reasonable notice (at least 1 month) of any such amendments; and
2. The changes so notified will only take effect at the commencement of the year following the year in which the Amendment Notice was received.