

## COMEDY, FASHION, VARIETY SHOWS & BEAUTY PAGEANTS

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

### PUBLIC PERFORMANCE OF MUSIC AT COMEDY, FASHION, VARIETY SHOWS & BEAUTY PAGEANTS

Hosting a great show not only involves coordination of the acts; it also involves creating a theatrical atmosphere. The lighting design, set backdrop and “*music*” must all convey the production director’s vision. Often the music is used as an accompaniment to the act, during the intermission or on entry and exit to the venue.

A COTT licence for the use of music ensures that you can legally use our extensive repertoire. 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 the Neighbouring Rights [NR] in the sound recordings.

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

**PHONE:** 624 - COTT (2688)  
**PHONE:** 657 - COTT (2688)  
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## SCOPE AND APPLICABILITY OF TARIFF

This tariff applies to non-featured / background performances of musical works and sound recordings within COTT's repertoire whether live or recorded in dance recitals, comedy shows, fashion shows and similar type events held at theatre halls, event spaces or like premises.

## HOW MUCH DOES IT COST PER EVENT

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

Annual Royalty	CR	NR
Percentage of Gross Revenue	3.50%	2.80%

**Subject to:** - where the Licensee establishes that the proportion of performance time during which music within COTT's repertoire is played **less than 75%** the following discounts will apply: -

PERFORMANCE TIME	25% or less	More than 25% - 50%	More than 50% - 75%
DISCOUNT	75%	50%	25%

	CR	NR	TOTAL
<b>WORKED EXAMPLE:</b>			
ABC Model Inc. will be hosting their annual fashion show in the month of August. Tickets will be sold at \$125.00 each and they expect to sell 300 tickets. Music will accompany the models as they walk the runway and during the intermission.			
Gross Revenue [\$125.00 x 300 tickets] = \$37,500.00	1,312.50	1,050.00	2,362.50
Discount Applied 25%	328.12	262.50	590.62
Licence Fee			\$1,771.88

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## DEFINITIONS

**“Background music”** - the public performance of recorded music from radios, CD players, televisions, mobile phones, tablets, and other devices where the music is used to create an atmosphere or ambience that is not a special feature of, or essential to, the main event or is not essential to the operation of a premises.

**“COTT’s repertoire”**- 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 that are COTT 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/>

**“Featured Music”** means COTT’s repertoire whether it is performed live by performers in person or recorded through mechanical or electrical devices, as a prominent feature as a part of an event or entertainment.

**“Gross Revenue”** - admission receipts (excluding any element of Value Added Tax and/or any other payments levied as a matter of law on actual receipts).

**“Licence-period”** means the licence start and end date specified in the licence agreement or such shorter period as may occur by either you or us ending the licence for any reason allowed under its terms.

**“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”**- 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.

## 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.
- ❖ Complimentary tickets shall be declared based on the price of the equivalent paid ticket.
- ❖ 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 gross revenue per show and the duration of music use

## 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.

Primary Schools, Secondary Schools and Registered Charitable Organisations are eligible to receive a 10% discount, provided that a licence is obtained at least 10 days before the start of the event. The discount does not apply to any minimum royalties.

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 as at the commencement of the Year following the Year in which the Amendment Notice was received.

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