

## HOTELS AND GUEST HOUSES

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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 HOTELS & GUESTHOUSES

Using music provides an opportunity to showcase our local musical talents while exposing your guests to the unique culinary delights and cultural heritage of Trinidad and Tobago. Background music creates a soothing atmosphere while Featured music use provides an additional layer of entertainment for hotel guests and visitors alike by fostering a more vibrant atmosphere

Obtaining a COTT licence guarantees legal access to our comprehensive catalogue of local, regional, and international music. By acquiring our licence, you ensure fair compensation for the creators behind the music you use.

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)

PHONE: 635 - COTT (2688)

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## SCOPE AND APPLICABILITY OF TARIFF

This tariff applies to performances of featured and background music from within COTT's repertoire at hotels, guest houses, and other similar establishments where the event is being held by the establishment. It does not extend to events hosted by third parties; in those instances a separate licence is required.

## HOW MUCH DOES IT COST ANNUALLY

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

BACKGROUND MUSIC		CR	NR
<b>1</b>	In bedrooms, corridors, and foyers the annual royalty per 15 bedrooms (or part thereof) is as follows:		
	Mechanical devices including - terrestrial television and/or satellite/cable television and/or radio and/or video player	413.33	330.66
<b>2</b>	Background music for Dining [Restaurants and Bars]		
	Up to 30-person capacity	459.94	367.95
	For each addition 20-person capacity	176.91	141.52
<b>3</b>	In elevators - the royalty per annum, per elevator	162.25	130.00
<b>4</b>	In gyms and spas - royalty per annum, for spaces exceeding 700sq <sup>ft</sup>	1,500.00	1,200.00
<b>5</b>	Music on hold - up to 12 incoming lines	1,471.25	1,177.00
FEATURED MUSIC [For Events hosted by the Hotel/Guesthouse ONLY]		CR	NR
<b>1</b>	Where there is a charge for admission - percentage of Admission Receipts	3.00%	2.80%
<b>2</b>	Where there is NO Admission Charge		
	per event for the first 50 attendees	74.25	60.00
	for each additional 25 attendees	35.75	29.00

CR

NR

TOTAL

**WORKED EXAMPLE:**

Blue Baron is a 4-star hotel with 288 guest rooms. Rooms are equipped with a television and clock radio. There is a gym located on the 5<sup>th</sup> floor for guests only.

The Prince Royal restaurant and bar is located on the hotel grounds with a seating of capacity of 120. On Fridays guests and visitors to the restaurant are entertained with live performances by local artistes.

Every 31<sup>st</sup> December Baron hosts a special dinner and dance to ring in the new Year. This event has been well attended over the years. This year the admission fee is TT\$975.00 per person. Baron is expecting 200 persons at this year's event.

**BACKGROUND MUSIC USE:**

For every 15 rooms - $288/15 = 19.2$	8,266.60	6,613.20	14,879.80
Guest gym	1,500.00	1,200.00	2,700.00
Restaurant and Bar:			
First 30 seats	459.94	367.95	2,420.04
Each additional 20 seats or part thereof $[(120-30)/20] = 4.5$	884.55	707.60	
<b>FEATURED MUSIC USE:</b>			
Admission receipts $[\$975.00 \times 200] = \$195,000.00$	5,850.00	5,460.00	11,310.00
<b>Annual Licence Fee</b>	<b>\$31,309.84</b>		

**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/>

**"Licence-year"** the twelve-month period commencing on the day of the month in which COTT first issued a licence to a Licensee.

**"Mechanical / Electronic device"** includes radio, television compact disc players, tape players, record players, video/DVD players; satellite-, disk-, or internet-delivered background music services; satellite/cable streamed music services and jukeboxes.

**"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.
- ❖ 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.

## PERFORMANCE PARTICULARS

The royalties payable under this tariff are calculated by reference to the number of guest rooms in addition to any other music use as outlined above.

## PAYMENT OF ROYALTIES

The royalties due under this tariff are payable upon receipt of COTT's invoice. The invoice is based on an estimate of the particulars required for calculating the royalty due for the licence year or event. Any charge made under such an invoice may be adjusted after the Licensee has furnished COTT with the details of the actual particulars.

If the Licensee fails to pay any sum due and payable within 30 days of COTT's invoice, COTT reserves the right to charge interest on the overdue amount 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, without prejudice to any other rights COTT may have.

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 annually adjust the royalties payable under this tariff by the percentage (to the nearest whole percentage point) that the Retail Prices Index published by the Central Statistical Office has changed compared with to 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.