

RECREATIONAL CLUBS & POOL HALLS

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PUBLIC PERFORMANCE OF MUSIC AT RECREATIONAL CLUBS & POOL HALLS

Recreational clubs and pool halls serve as community entertainment hubs, fostering stronger, healthier, happier environments by providing venues for social interaction. While background music played at these premises may not be the primary focus, it enhances the overall experience.

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

Our licence covers both 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 background music from within COTT's repertoire at recreational clubs, betting shops and pool halls and similar premises.

HOW MUCH DOES IT COST ANNUALLY

The following rates apply to all Royalties falling from 1st January 2023

	CR	NR
The annual royalty per room for performances by the following is:		
up to 30 customer capacity	551.38	450.00
Each additional 20 customer capacity (or part thereof)	326.98	264.00

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/>

"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.

"Person Capacity" is the maximum number of persons who may be admitted to the venue at any one time calculated as follows: where the accommodation of a room is limited to seating, the capacity will be calculated by the total number of seats; if there is no formal means of calculating the accommodation of a venue, that capacity will be assessed by the maximum number of people who can reasonably be accommodated at the venue, or which is permitted under any regulation by Fire, OSHA or similar regulations.

"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

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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.
- ❖ 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.

PERFORMANCE PARTICULARS

This tariff requires the Licensee to report on the person capacity of the premise. The fee calculated is to be paid in advance.

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.