

BACKGROUND MUSIC IN SHIPS, FERRIES & CRUISE LINERS

Travel by sea may result in extended travel durations. Playing background music on vessels such as ships, ferries and cruise liners can enhance the passenger experience by creating the perception of a shorter journey.

Obtaining a COTT licence guarantees legal access to our comprehensive catalogue of local, regional, and international music, enabling you to create an engaging atmosphere during the voyage. 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.

SCOPE AND APPLICABILITY OF TARIFF

This tariff applies to public performances of music within COTT's repertoire as general **background music** on cruise liners, local ferries, lake, river and pleasure crafts and all other water-going passenger vessels. This tariff is not intended for vessels hosting events where music is prominently featured as a part of an event or entertainment.

HOW MUCH WILL IT COST ANNUALLY

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

PERSON CAPACITY PER CONVEYANCE	CR	NR
1 – 30 seating capacity	320.60	185.00
For every additional 20 seating capacity or part thereof	112.80	91.00

DEFINITIONS

“Background Music” means music played in a vehicle by mechanical means that is not used as a prominent feature and/or 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.

“Person Capacity” means the full number of persons you are authorised to carry including, driver, and attendants. This will include people seated and/ or standing.

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 per vessel. The fee is calculated per annum and is to be paid in advance.

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 an estimate of the particulars required for calculating the royalty due in respect of the licence-year for which the invoice is issued, and any charge made under such invoice may be adjusted after the Licensee has furnished COTT with details of the actual the 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.