

WAITING ROOMS & SMALL PREMISES

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BACKGROUND MUSIC IN WAITING ROOMS & SMALL PREMISES

Waiting can be a challenging experience for most people, as it can induce stress and anxiety. In waiting rooms time seems to pass very slowly, particularly when there is a lack of entertainment, an interesting magazine to read or music playing in the background. Music helps to break awkward silences and create privacy during conversations between patients or customers in shared spaces.

A COTT licence ensures that you can legally use our extensive repertoire of local, regional and international music. By obtaining our licence you are ensuring that the creators behind the music you use are compensated.

Our licence covers both the Copyright [CR] in the musical works 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)
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SCOPE AND APPLICABILITY OF TARIFF

This tariff is applicable for the use of background music in waiting areas including, transport hubs, consultation or treatment areas in clinics, hospitals, doctors' offices, and dental practices; played via - a radio, TV, recorded music device or online streaming platforms.

HOW MUCH DOES IT COST ANNUALLY

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

	CR	NR
Rate per annum up to 20 seating capacity	342.38	280.00
Rate per annum for each additional seat over 20	16.50	13.00

	CR	NR	TOTAL
WORKED EXAMPLE:			
Healthy Smiles Dental Clinic is open 5 days a week. The waiting area has seating for 10 patients and one receptionist, there is one television screen located in the waiting area.			
Up to 20 seating capacity	342.38	280.00	622.38
Annual Licence Fee	\$622.38		

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.

"Seating capacity" - is essentially how many seats are available and includes any chair/couch/bed or other item of furniture where music is audible to employees and customers/patients waiting to receive or receiving treatment.

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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 number seats available. 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.

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.