

THE OFFICIAL VOICE OF THE NORTHERN IRELAND FEDERATION OF CLUBS

Review Club

VOLUME 24 - Issue 5, 2011

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Another VAT 'windfall' opportunity



John Davidson, Chairman,
N.I. Federation of Clubs

Following recent successes detailed in previous issues of Club Review, another opportunity to recover VAT has been identified, refined and cleared with HM Revenue & Customs (HMRC).

The overpayment of Vat occurs where clubs receive income for entry to cultural 'events' such as a live music performance, comedian or such like, but not for pre-recorded entertainment such as discos.

Before recovering monies from HMRC several obstacles need to be overcome and the arguments put forward to ensure repayment need to be specific and well rehearsed, any weakness in the submission and HMRC will reject the claim.

To have an entitlement to repayment clubs must have declared VAT on income generated from entrance to such a 'cultural event', they must have submitted all VAT returns and have made payment of all VAT detailed on returns, and they must meet the HMRC criteria of being not for profit. In addition any successful claim must be able to demonstrate that the partial exemption rules have been taken into account and that the request for repayment will not 'unjustly enrich' the recipient.

Federation accountant Lawrence Shearer, in association with the Federation and CIU colleagues in London has investigated the detail of the potential of this latest opportunity.

It has been successfully argued with HMRC why claims should be repaid and why the recipient will not unjustly benefit.

Other Opportunities!

Have you reclaimed the VAT on income from snooker/pool?

As you may be aware all income generated from snooker and pool is 0% rated for VAT. Clubs can reclaim the said VAT for the past four years. Those

clubs which have not already reclaimed the said VAT can do so by deducting the VAT paid on snooker/pool income over the past four years, off their next quarterly VAT return. To qualify in both cases referred to, you must have returned VAT on the said income from snooker/pool and your membership subscriptions.

To make a claim clubs may wish to utilise the services of Federation



**HM Revenue
& Customs**

Accountant, Lawrence Shearer, who can be contacted on 028 9030 9550. Lawrence is acting with the Federation in investigating these important matters.

Please contact the helplines should you require further assistance on this or any other club issue.

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Selling or downsizing your club?

Due to the current economic climate you may be considering selling or downsizing your club premises. You should bear in mind that this disposal may be subject to Corporation Tax on any gains (Capital Gains Tax) arising. The amount of Capital

Gains Tax due depends on the facts relevant to each individual club.

Illustrated are two examples which we hope will briefly explain how the Capital Gains computation is calculated.

If your property was bought **before** 31st March 1982 the original cost of purchase is replaced with the market value at 31st March 1982.

The calculation, as you can see, is calculated the same except the cost of purchase is replaced with the value at 31st March 1982.

Example 1 - Property bought AFTER 31st March 1982

01/09/2010 Sale proceeds			400,000	
01/04/1985 Premises purchased	100,000			
01/02/1990 Alterations to premises	10,000			
30/06/2000 Alterations to premises	40,000		150,000	
			<u>250,000</u>	
Indexation Allowance				
100,000 x	1.377	137,700		
10,000 x	0.874	8,740		
40,000 x	0.317	12,680	159,120	
			<u>90,880</u>	
Assessable to Corporation Tax				90,880
Corporation Tax Due at 21%				<u>19,085</u>

If the indexation allowance creates a loss then the loss is reduced to NIL.

Indexation Allowance is an allowance which adjusts the gain for the effects of inflation over the period the asset was owned.

Example 2 -Property bought BEFORE 31st March 1982

01/04/1975 Property purchased	40,000			
31/03/1982 Valuation	100,000			
30/09/2010 Sale proceeds			400,000	
31/03/1982 Premises valued at 31st March 1982	100,000			
01/02/1990 Alterations to premises	10,000			
30/06/2000 Alterations to premises	40,000		150,000	
			<u>250,000</u>	
Indexation Allowance				
100,000 x	1.836	183,600		
10,000 x	0.874	8,740		
40,000 x	0.317	12,680	205,020	
			<u>44,980</u>	
Assessable to Corporation Tax				44,980
Corporation Tax Due at 21%				<u>9,446</u>

A formal valuation of the property must be obtained from a reputable valuer.

You should bear in mind that this value may be subject to challenge by HM Revenue & Customs so it is very important that the figure is accurate.

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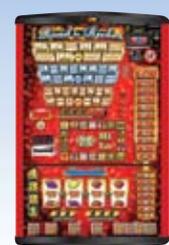
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If the value at 31st March 1982 has been inflated, HM Revenue & Customs will amend the calculation and this will result in interest and penalties being charged.

Remember if the premises have been sold and you are winding up the club the assets should be distributed in accordance with Northern Ireland legislation and the club's constitution.

You should not act upon any information contained in any article without seeking further advice relating to the circumstances of your own club.

Whilst every care has been taken to ensure the accuracy of the content of this report, no responsibility for loss occasioned to any person acting or refraining from action as a result of the material in this report can be accepted by Miscampbell & Co.

Should you wish to discuss any of the issues disclosed within this article further contact:

Joan Kinghan
Senior Corporation Tax Manager
Miscampbell & Co.
6 Annadale Avenue
Belfast BT7

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A cost effective service!

Club Review was in the final stages of preparation to go to print when I received a call and subsequent email from a company called UK Safety Solutions who are currently contacting businesses, and most likely clubs in Northern Ireland, offering to provide testing services.

They charge £99 + VAT to test up to 20 appliances, then £1.20 per item thereafter. This cost includes replacements for broken or damaged plugs, a certificate of compliance that

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This all sounded attractive until I spoke to local company ICSS Limited who first appeared in the last issue of Club Review.

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Be aware of the Equality Act!

Clubs are recognised as playing an increasingly important community role throughout Northern Ireland.

The 2010 Equality Act means that where clubs have women as members they cannot discriminate against them, therefore it is important to be aware of the Equality Act and by so doing avoid falling foul of its requirements.

The law allows clubs to be single gender but if you invite another gender to be members of your club you have to treat them as equals.

There has been some unfavourable publicity in the past where clubs continued to run men-only bars, but by and large we do not see these issues causing problems in Northern Ireland.

The monies raised by Northern Ireland's registered club sector was recognised in a survey carried out in 2001 when NICVA provided statistics revealing that the club sector financially underpinned sport to the tune of £26m and the charity sector with collective support of £4m.

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Be "Drink Aware"

Conversations about absence or poor performance are never pleasant to initiate. Add in an additional awkwardness - say, a staff member who may be drinking too much - and many officials will feel way out of their depth. Yet problem drinking is something that clubs cannot afford to ignore.

According to government figures 17 million working days a year are lost to alcohol-related sickness and this is likely to get worse with the pressures of recession.

Despite the alarming figures - and a change in culture over the past two decades that has made lunchtime drinking less common - many clubs still do not have alcohol policies for

their staff. Clubs are not good at having conversations around absence. Health and lifestyle, in particular, are seen as sensitive issues. As well as putting in place formal alcohol policies, clubs need to play a more active role by encouraging sensible drinking by staff generally as part of a focus on health and wellbeing.

Clubs should be talking to their workforce earlier and informing staff of the physical and mental effects of alcohol and illegal drugs. Yet alcohol remains a sensitive subject in the club.

Industries such as railways or airlines are explicit about alcohol consumption during or before working hours. Move outside this group, however, and even if

clubs have an alcohol policy, it may be little used. Some clubs do have a policy. But whether it's effective, monitored and evaluated is a different matter. Clubs that do introduce or revisit an alcohol policy could do so as part of a wider range of initiatives on health and safety or staff wellbeing.

If a staff member requests help from the club prior to management being aware of poor performance, then in accordance with the disciplinary or capability procedures, any information regarding a staff member's problems with drugs or alcohol should be treated as confidential, subject to the club's legal obligations. The club should offer practical support to those experiencing problems

as well as encouraging staff to seek specialist help if they feel that they have an alcohol or drug problem.

Drug and alcohol misuse may become a matter for disciplinary action within the club's disciplinary or capability procedure, subject to any alcohol or drugs policy, particularly where help is refused and/or impaired performance continues. Staff need to be aware that dismissal may result from disciplinary action.

One of the great things about clubs is that they encourage sensible alcohol consumption in a controlled environment for members. It's important we don't neglect the health and wellbeing of our staff.

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Tim Wilder, Managing Director of InfoCash, said, "We are pleased to work with the N.I. Federation of Clubs and to make our service available to its members. We believe the range of options we offer will boost the income of clubs and improve the services available to club members."

Giving members the facility to withdraw cash easily represents safety and convenience for the club member.

At a time when registered clubs are encountering problems associated with the economic downturn, opportunities such as this are few and far between. NIFC Chairman, John Davidson, was pleasantly surprised at the cost structure. It would seem that experiences with previous suppliers have been ironed out.

The big advantage of having such a facility in a club can lead to members remaining longer and importantly allows them to draw down funds such as pensions etc., without having

to stand in a queue, something which is especially important for the more senior member during periods of inclement weather.

Getting an ATM cash machine for your club couldn't be easier. Contact - InfoCash or The P&F Group on: 028 9037 0314

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Questions & Answers

Q. Our Committee are having a disagreement regarding how the Accounts are approved. Should the Committee be required to approve the accounts before asking the Members to receive the Accounts or is approving the accounts purely a matter for the Members and the Committee has no power to reject the accounts?

A. The Committee should accept the accounts as

presented to them by the accountants/auditor. The accounts are then put to the Members at the AGM and the Members are asked to receive them. Clearly if the Committee are concerned over any aspect of the accounts then we would encourage you to discuss this with your accountants prior to approving them or asking the Members to receive them.

Q. Our Club used to operate a system where men received discounted subscriptions upon attaining the age of 65 and women received the discounted subscription upon attaining the age of 60. With the introduction of the Equalities Act we understand that this is no longer possible. However, can we gradually

phase in this increase to make it easier on our Lady Members?

A. The Equalities Act does allow Clubs to gradually phase in any increase in subscriptions for an affected party. Therefore, it would be acceptable for the Committee to bring these changes in over a number of years. As long as the Committee can be shown to be addressing the issue and taking steps to eliminate the disparity then this will be acceptable.

Q. A Member has submitted some general questions for inclusion on the agenda of the AGM. It has now been queried whether the AGM is the correct place for such questions?

A. Only motions which can be voted on with a 'yes' or 'no' answer should be included within the agenda of the Club's AGM. Whilst such motions can fall outside of the typical discussions areas regarding accounts and elections they must be presented in a form which can be voted upon.

If the Members wish to place their questions, such as Rule updates or Club opening hours, into a properly constructed motion then these will be acceptable, however general discussion points or questions are not suitable for the agenda of an AGM. Effectively, a resolution or motion should be proposing an object that requires a 'yes' or 'no' answer - in other words, a vote.

Many Clubs have an 'open forum' following the closure of the meeting in order that discussions on any matter can take place; such discussions

would not however constitute Committee business.

Q. I am the Secretary of our Club and prior to the AGM I posted nomination sheets inviting candidates to stand for office. When I took the sheets down there were no candidates proposed for the office of either Chairman or Vice Chairman. What is the correct procedure for dealing with this matter?

A. Under these circumstances it would be appropriate for nominations for these positions to be taken on the floor of the Annual General Meeting. Should more than one person be nominated for each position then a vote will have to be held.

Should no one be nominated for a position then the Committee would be entitled to ask the Members to give their consent for the Committee to fill vacant positions as and when any suitable candidates become available. Certainly, in the first meeting following the AGM you will need to elect a Chairman, from amongst those Officers and Committee Members who have been elected, to take the chair of that meeting.

Q. If we wanted to charge a nominal fee to guests or members to enter the Club, would we be able to do so?

A. We can confirm that it is perfectly accepted for the Committee to impose a charge on the entrance of Member's guests. However, such a charge would be subject to VAT. Alternatively the Committee could simply ask for a voluntary donation from guests. This would be free of VAT.



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All dismissals need to be done by the book

Dismissal of an employee occurs when:

- the club terminates the contract, either with or without giving notice.
- a fixed term contract ends and is not renewed.
- the employee leaves, with or without giving notice, in circumstances in which they are entitled to do so because of the club's conduct.

This is known as constructive dismissal.

A dismissal will normally be "fair" provided the club has a good reason and has acted "reasonably" in carrying it out. The terms "unfair" or "wrongful" dismissal are often used interchangeably, particularly in media reports, but in fact they arise from very different concepts.

Wrongful dismissal occurs when the club terminates the contract of employment, and in doing so breaches the contract. The most common example is terminating a contract without giving the contractual notice period. The period of notice is a matter for agreement between the club and member of staff, but is subject to minimum periods prescribed by law. Wrongful dismissal claims will generally be for the payment due for the notice period.

There are officially five potentially fair reasons for dismissal. To be fair a dismissal must be for one of the following reasons:

- capability or qualifications
- conduct
- illegality or contravention of a statutory duty

- redundancy
- some other substantial reason

There was previously another fair reason - "retirement". However, with the abolition of the default retirement age, this no longer applies. The basis of unfair dismissal law is that employees have the right to be treated fairly. In making a claim of unfair dismissal the employee needs to be able to demonstrate that their dismissal was not fair.

As well as falling within one of the potentially fair reasons given above, a club must also have acted fairly and reasonably in taking that reason as sufficient for dismissing the employee. This is more complex than it sounds, although it should always be borne in mind that an employment tribunal still has wide discretion on what it considers "fair".

Dismissal is a serious matter that needs careful handling. Before taking any action, club management should first establish the facts. And before considering dismissal, club management should also see if a more positive approach is likely to be effective.

Where conduct is the issue, the level of proof that the employee committed an alleged offence is not as high as that required in the criminal courts. The club must, however, be able to demonstrate that there was a thorough investigation into the alleged offence. The club must then be able to show that the investigation led to a reasonable belief that the employee had committed the offence, and that the decision to dismiss was reasonable.

Where poor performance or capability is the issue, matters may be beyond the employee's control. The problems may be a result of inadequate leadership, bad management or defective systems of work, and if so, remedies (often involving learning and development) can be put in place.

Many cases of misconduct and poor performance can be dealt with by informal advice, coaching and counselling. Improvements can often be achieved through continuing feedback and joint discussion between individuals and their managers to identify the problem, establish the reasons for under-performance and agree the action to be taken. If

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all this fails, disciplinary action, possibly including dismissal, may need to be taken.

Although the Acas Code of Practice does not have the force of law, in practice, clubs must follow the Code otherwise:

- they will have difficulty convincing an employment tribunal that they acted fairly.
- they may be ordered to pay up to 25% increased compensation.

In addition, a club must follow their own contractual or customary disciplinary process or dismissal procedure for a dismissal to be "fair". Three stages should be followed, even in what seem to be obvious cases of gross misconduct:

- The employee should be informed, in writing, of the alleged offence.
- There should be a meeting with the employee to discuss

the alleged offence. The employee is allowed to be represented at this meeting by a trade union representative or colleague.

- The employee should have the opportunity to appeal against any sanction.

There is a short period at the start of employment when employees do not enjoy protection from unfair dismissal: this is known as the "qualifying period" and it is currently one year. The following reasons for dismissal, however, are unfair at any time:

- trade union membership or activities
- pregnancy or childbirth
- taking maternity, adoption, paternity or parental leave
- asserting a statutory right
- claiming the National Minimum Wage
- asserting rights under the Working Time Regulations.

Sky & Finlay's A winning combination!

The success of the association between the N.I. Federation of Clubs and Sky Television has been excellent, providing our member clubs with a much more affordable package. Now that local company Finlay Communications are appointed suppliers of the package, the process of securing it should be made a lot easier.

Federation member clubs in Northern Ireland are, for the most part, registered as sports clubs and so are able to adopt the scheme. We applaud the foresight of Sky TV representative, Ciaran Devine for recognising this, which helped to avert the temptation for clubs to utilise foreign

satellite providers with all the problems which were surfacing at the time. Quite apart from the legal side of things we recognised that cost was a big factor, but opting for the lower cost foreign option brought transmission problems such as cards being switched off.

Thankfully many clubs have signed-up, and more importantly from Sky's position, clubs which were being forced to cancel, not only their Sky package, but other items of expenditure for economic reasons, were at least able to maintain the Sky Television service. We encourage clubs which have not already signed-up to look at this seriously.

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Guinness announces Belfast as a host city for Arthur's Day celebrations

Guinness recently announced that Arthur's Day is set to make a welcome return and that celebrations will take place in Belfast this year as well as Dublin, Cork and Limerick on Thursday 22nd September.

Music fans in Northern Ireland will get the opportunity to pay tribute to the remarkable legacy of Arthur Guinness, right on their own doorstep, when acclaimed international and Irish acts give intimate performances in bars across Belfast as well as in a larger studio venue in the city.

Adding to the Arthur's Day occasion will be the element of surprise at the venues across the

city. Fans attending these events will know they are going to see a big name act in an intimate setting, but they won't know who until they turn up on stage on Arthur's Day.

Tanya Clarke, Marketing Director, Diageo Ireland said, "We are thrilled to announce that Arthur's Day is back, and this year even more countries will host live music events to mark the occasion with performances taking place all across the world, kick-starting right here in Dublin, the home of Guinness".

"Now in its third year, Arthur's Day has proven a massive hit with people throughout Ireland

and indeed the globe. This year we are delighted to extend our Irish music hubs to venues in Dublin, Cork, Limerick and Belfast, where music fans will be treated to internationally acclaimed musicians."

At 17:59 locally and around the world, countries including

Italy, Germany, France, Spain, Caribbean nations, Malaysia, Indonesia, Australia, Japan, Singapore and South Korea, will all join in the celebrations to mark the philanthropic legacy of Arthur Guinness.

Arthur's Day continues the philanthropic tradition of Arthur Guinness with all ticket proceeds from the day going directly to the Arthur Guinness Fund.

The Arthur Guinness Fund, along with Arthur's Day was established as part of the Guinness brand's 250th celebrations in 2009. The Arthur Guinness fund has



Paloma Faith will be one of the headline performers at the Arthur's Day celebrations.

had a significant and positive transformational impact on local communities in Ireland. Last week we drew down on a further €650,000 from the fund, which was awarded to another ten Irish social entrepreneurs. The ten entrepreneurs with each of their unique projects will not only receive financial support but also professional business mentoring over the next two years.

For detailed information about Guinness and Arthur's Day visit Guinness.com

Arthur's Day celebrations are strictly over 18's events.



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Bushmills Irish Whiskey hosts “Bushmills Whiskey World Games”



Bushmills Irish Whiskey has announced the N. Ireland finalists who will compete at ‘Bushcamp’, the global final of the ‘Make it 2 Bushmills’ competition - dubbed the ‘Bushmills Whiskey World Games’.

Launched on St Patrick’s Day this year, it offers two friends the chance to win two weeks working at the world-famous Old Bushmills Distillery, where they’ll make their own unique blend of Bushmills, stay in luxury penthouse accommodation and get £5,000 spending money. Then, the winning friends will get VIP access to the ultimate Bushmills party back in their home town.

Jennifer Kiernan, Bushmills Ireland Brand Manager said, “Make it 2 Bushmills has been a phenomenal success since it was launched in March; generating strong interest from consumers and media. We’re delighted with the social media buzz and how the campaign has raised awareness of our award-winning Irish Whiskies. Now, we can’t wait for Bushcamp, which is set to be one of the biggest whiskey events of the year.”

Richard Roberts, from Belfast, and his wife Carol have been named as Northern Ireland’s representatives at Bushcamp, taking place on the north coast in August.

Richard and Carol were selected by public vote on Facebook to compete against pairs of friends from ten other countries, in a number of challenges to find the ultimate winners.

Amongst the judges at the final will be Bushmills Master Distiller, Colum Egan, who said, “Bushcamp is going to be the World Games of Whiskey, played out in true Bushmills style. The finalists will be challenged to try out some of the things that the team at the Old Bushmills Distillery do on a daily basis as well as some of the things that we like to do in our spare time...all with a Bushmills twist.



Visit facebook.com/bushmills1608 to follow Richard and Carol’s progress and for more information on Make it 2 Bushmills.

WKD promotion will put bums on seats!

A humorous on-pack promotion from WKD is set to reward 250,000 lucky winners with a £12m prize pool. The instant-win promotion will feature on peel-and-reveal labels on 6.5 million 275ml bottles UK-wide.

Under the campaign theme of ‘Win A Chair’, the promotion offers seat-related prizes ranging from racing motorised sofas through to flight vouchers and tickets for the cinema, comedy and music gigs. Consumers peel away special neck labels on bottles to reveal unique codes which are then either texted or entered online to discover prizes.

From mid-August to October, promotional ‘Win A Chair’ bottles will replace standard stocks of WKD Blue, Red and

Iron Brew variants. To help highlight the offer and maximise sales, free point of sale kits will be included in selected promotional cases.

The kits, which contain eye-catching items such as posters, wobblers and stickers, are also available from the POS Hotline on 0800 917 3450.

As well as in-outlet POS and the bottle labels themselves, the promotion will be communicated to WKD’s 175,000 followers on Facebook and through men’s lifestyle mobile phone apps.

Debs Carter, Marketing Director for Beverage Brands, owner of WKD, said, “The innovative ‘Win A Chair’ promotion will

feature on 6.5m bottle labels and will help continue the momentum the brand has built already this year. With a £12m prize pool, the instant-win activity will boost sales for stockists and engage and reward consumers who’ll love the opportunity to bag some great prizes.”



Music brings clubs to life...

...just make sure you're licensed first

If you want to add atmosphere to your club, there's nothing quite like music:

- 84% of customers would visit a club playing good music more often[†]
- 82% of customers say that good music encourages them to buy another drink and stay longer[†]

Don't forget that if you play music in your club, or even if you just show TV programmes, you may need a licence from *PRS for Music*^{*}.

We have a dedicated licence for members' clubs, designed to suit your needs. Nearly 90% of your licence fee goes to music creators, so they can keep on making music.



For more information,
or to buy a Music Licence
call us today on **0800 068 4828**
quoting 'Club Review'

PRS for Music supports Northern Ireland's up and coming musical talent as well as more established artists such as Snow Patrol and Neil Hannon.

PRS for Music is proud of its long-standing relationship with the NIFC and would like to thank them for their continued support of music in Northern Ireland's clubs.

[†] Music Works survey of 2,000 people, conducted in March 2009. Visit www.musicworksforyou.com for more details.

^{*} The Copyright, Designs and Patents Act 1988 requires you gain the permission of the copyright owner if you play music in public. Our Music Licence provides you with this permission for the rights administered by *PRS for Music*, for musical works controlled by *PRS for Music* in the UK. A separate sound recording licence may also be needed. Visit www.ppluk.com for more details. A Music Licence gives you the right to play our copyright music. You also need a TV licence.

New Rates for PRS

Tariff 'JMC' (2011.08)

Effective from 1st August 2011 (Also showing previous year's details in brackets)

1. Scope of tariff

This tariff applies to performances of copyright music within PRS for Music's* repertoire* at clubs bona fide established and conducted in good faith as non profit-making members' clubs:

- capable of satisfying the conditions for determining a qualifying club for the purposes of Part 4 of the Licensing Act 2003 for England and Wales,
- or the mandatory conditions for the purposes of section 125 of the Licensing (Clubs) (Scotland) Regulations 2007 for Scotland,
- or registration under the Registration of Clubs (Northern Ireland) Order 1996 for N. Ireland.

It does not apply to establishments whose main object is bingo nor to youth or proprietary clubs.

2. General conditions

This tariff is subject to PRS for Music's General Conditions Applicable to Tariffs and Licences, available on request from PRS for Music.

3. Royalty rates

Where the music user has applied for and obtained PRS for Music's licence before musical performances commence, the standard royalty rate will be charged and payable for the first year of the licence.

Where the music user has not applied for and obtained PRS for Music's licence before musical performances commence, the higher (standard plus 50%) royalty rate will be charged and payable for the first year of the licence.

After the first year of the licence, in either case, the standard royalty rate will be charged and payable.

The following rates of charge apply to all royalties falling due from 1st August 2011.

3.1 Featured music*

3.1.1 Live music

3.1.1.1 Where the annual expenditure on the provision of music* by performers* is £8,759 (£8,422) or more the royalty in respect of performances of music by those performers is

	Higher royalty	Standard royalty
3.1.1.1 Where the annual expenditure on the provision of music* by performers* is £8,759 (£8,422) or more the royalty in respect of performances of music by those performers is	3.75% of such expenditure (3.75%)	2.5% of such expenditure (2.5%)
3.1.1.2 Where the annual expenditure on the provision of music is less than £8,759 (£8,422) the royalty per function for the first 100 persons capacity* in respect of performances of music by performers in person is at the rate of.....	£6.63 (£6.38)	£4.42 (£4.25)
and per 25 persons capacity (or part thereof) thereafter	£1.67 (£1.61)	£1.11 (£1.07)
provided that: The maximum annual royalty for performances in category 3.1.1.2 is	£328.47 (£315.83)	£218.98 (£210.55)
3.1.2 Featured recorded music* For all featured performances by record, compact disc or tape player* primarily for entertainment by means of discotheque equipment or otherwise for dancing and for karaoke performances*, the royalty per function for the first 100 persons capacity is	£6.63 (£6.38)	£4.42 (£4.25)
and for each 25 persons capacity (or part thereof) thereafter	£1.67 (£1.61)	£1.11 (£1.07)
provided that: Where such featured performances are given at a function, and in the same room, where performances are also given in person and in respect of which royalties are paid under paragraph 3.1.1 above, the royalty in respect of performances by record, compact disc or tape player per function for the first 100 persons capacity is	£3.23 (£3.11)	£2.15 (£2.07)
and for each 25 persons capacity (or part thereof) thereafter	£0.81 (£0.78)	£0.54 (£0.52)

3.1.1.2 Where the annual expenditure on the provision of music is less than £8,759 (£8,422) the royalty per function for the first 100 persons capacity* in respect of performances of music by performers in person is at the rate of.....

and per 25 persons capacity (or part thereof) thereafter

provided that:

The maximum annual royalty for performances in category 3.1.1.2 is

3.1.2 Featured recorded music*

For all featured performances by record, compact disc or tape player* primarily for entertainment by means of discotheque equipment or otherwise for dancing and for karaoke performances*, the royalty per function for the first 100 persons capacity is

and for each 25 persons capacity (or part thereof) thereafter

provided that:

Where such featured performances are given at a function, and in the same room, where performances are also given in person and in respect of which royalties are paid under paragraph 3.1.1 above, the royalty in respect of performances by record, compact disc or tape player per function for the first 100 persons capacity is

and for each 25 persons capacity (or part thereof) thereafter

All clubs will be aware that they are under a legal obligation to pay the correct dues to the Performing Rights Society (PRS) for music in their club.

Printed here are the revised rates (Tariff JMC) to be paid to the Society.

For further information call the N.Ireland PRS representative or the Federation Helplines. Club Secretaries should place these pages into their Red Management Manual.

If you do not have a Manual please call Helpline number 07889 681714.

	Higher royalty	Standard royalty
3.1.3 Cinema & featured video For performances (whether by means of the sound track or otherwise) during film or video shows in a room or place being specially used for the primary purpose of video or cinema exhibition, and with seating arranged accordingly the royalty per function for the first 100 persons capacity is	£3.23 (£3.11)	£2.15 (£2.07)
and per 25 persons capacity (or part thereof) thereafter	£0.81 (£0.78)	£0.54 (£0.52)
3.1.4 Minimum royalty for featured music The minimum royalty for an annual licence for featured music under this section of the tariff is	£164.19 (£157.88)	£109.46 (£105.25)
provided that: Where there are no more than three functions in a licence year this minimum charge will not apply. The charges for those functions - whether in terms of permits or an annual licence - will however be subject to a minimum of	£41.06 (£39.48)	£27.37 (£26.32)
	per function	per function
3.2 Background or mechanical music* The annual royalty for performances by the following is:		
3.2.1 Television screen (without video) with a screen no greater than 26" (66cms)	£136.86 (£131.60)	£91.24 (£87.73)
	per screen	per screen
with a screen greater than 26" (66cms)	£205.23 (£197.34)	£136.82 (£131.56)
	per screen	per screen
3.2.2 Radio	£136.86 (£131.60)	£91.24 (£87.73)
	per set	per set
3.2.3 Video player (with or without television facilities through the same screen) except performances where there are special seating arrangements for viewing, or when the player is used for discotheque performances: with a screen no greater than 26" (66cms)	£205.23 (£197.34)	£136.82 (£131.56)
	per player	per player
with a screen greater than 26" (66cms)	£273.71 (£263.18)	£182.47 (£175.45)
	per player	per player
3.2.4 Record and/or compact disc and/or tape player and/or music centre	£301.07 (£289.49)	£200.71 (£192.99)
	per player	per player
provided that: Where two or more such instruments (or screens in the case of televisions and video players) are used in the same premises, whether those instruments are of the same or of different kinds, the combined charges for those instruments will be reduced by 10%.		
3.3 Jukeboxes The annual royalty per machine for performances by the following is:		
3.3.1 Audio jukebox*	£339.65 (£326.58)	£226.43 (£217.72)
3.3.2 Audio jukebox with background music facility*	£478.17 (£459.78)	£318.78 (£306.52)
3.3.3 Video jukebox with a screen no greater than 26" (66cms)	£446.97 (£429.78)	£297.98 (£286.52)
with a screen greater than 26" (66cms)	£536.37 (£515.75)	£357.58 (£343.83)

	Higher royalty	Standard royalty
3.3.4 Video jukebox with background music facility* with a screen no greater than 26" (66cms)	£554.22 (£532.91)	£369.48 (£355.27)
with a screen greater than 26" (66cms)	£621.29 (£597.39)	£414.19 (£398.26)
3.3.5 Combined audio/video jukebox with background music facility*		
with a screen no greater than 26" (66cms)	£612.32 (£588.77)	£408.21 (£392.51)
with a screen greater than 26" (66cms)	£668.31 (£642.60)	£445.54 (£428.40)
3.3.6 For each additional coin-entry point for 3.3.1, 3.3.2, 3.3.3, 3.3.4, or 3.3.5 above	£44.70 (£42.98)	£29.80 (£28.65)

4. Value Added Tax

Every Licensee under PRS for Music's tariffs will pay to PRS for Music in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

5. Inflation adjustment

Every year on 1st August the monetary sums in this tariff will be adjusted for inflation. The adjustment formula will apply to the standard rates, using the mean (to the nearest whole percentage point) of the percentages by which the Retail Prices Index and Average Weekly Earnings index (unadjusted) change in the year to the previous March.

March is the latest month prior to the anniversary date for which figures are likely to be published for both indices After application of the inflation adjustment any expenditure threshold figure will be rounded to the nearest pound, with all other royalty rates rounded to the nearest penny.

All royalties will be charged at the royalty rate in force at the beginning of the licence year.

6. Definitions

- **annual expenditure on the provision of music** means the total of: gross salaries, gross wages; plus fees, expenses or other emoluments paid to performers (excluding any disc jockeys); and gross fees (net of any Value Added Tax) paid to third parties for the services of performers.
- **audio jukebox** means a machine (other than a video jukebox) for playing recorded music, capable of being operated by the insertion of a coin, token or card.
- **audio jukebox with background music facility** or **video jukebox with background music facility** or **combined audio/video jukebox with background music facility** or **music centre and/or radio cassette player** means a combination of units of equipment capable of reproducing sound from more than one source through a single sound system.
- **background or mechanical music** means music when performed by a record player, compact disc player, tape player, or video player otherwise than for featured purposes, or music performed by a radio or television set operated on the premises or diffused through a loudspeaker from another part of the premises or a source outside the premises.
- **capacity** shall be calculated as follows:
where the accommodation of a room is limited to the number of seats, the capacity will be calculated by reference to the total number of seats; but where, as in the case of discotheque performances, there is no formal means of calculating the accommodation of a room, that capacity will be assessed by reference to the maximum number of persons which can reasonably be accommodated in the room or which is permitted under any regulation by Fire Authorities or under the Club's Rules. Where the capacity exceeds 100 persons one quarter of the charge will be levied on each 25 persons.
- **featured music** or **featured recorded music** means music performed by: performers in person, or a record, compact disc or tape player primarily for entertainment such as by means of discotheque equipment or otherwise for dancing or in conjunction with cabaret or similar entertainment, or cinematograph equipment or video player.
- **karaoke performances** means those performances given by unpaid singers in conjunction with specially produced recorded music, with or without the provision of video-presented synchronised lyrics.
- **music centre** means instruments combining a radio and a tape player and/or record player.
- **performers** means singers and performers of musical instruments, including orchestra conductors or leaders, whether or not they combine in their performance other activities such as dancing or acting as comperes.
- **PRS for Music** is the trading name of the Performing Right Society Limited.
- **PRS for Music's repertoire** means all and any musical works (including any words associated therewith), the right of public performance in which is controlled by PRS for Music or by any of the societies in other countries with which PRS for Music is affiliated.
- **record, compact disc or tape player** means any gramophone, compact disc, tape or cassette player, or other mechanical/electronic contrivance for playing musical works, except: a video player, or a contrivance, such as a jukebox, capable of being operated by the insertion of a coin, token or card.
- **video jukebox** means a machine for playing recorded music synchronised with a video or similar visual display and capable of being operated by the insertion of a coin, token or card.



UGAAWA Monthly Merit Award



Donegal Chairman P.J. McGowan (centre) accepts the July Merit Award, on behalf of Karl Lacey, from Nicola Gormley (Quinn Insurance) and Jerry Quinn (UGAAWA Vice-Chairman). *Picture by Peadar McMahon.*

July was a vintage month for Donegal senior footballers with success in the Ulster Senior Championship and progression to the All-Ireland semi-finals with a spine-tingling win over Kildare in extra time.

No doubt, the rollicking run of the north-west team can be attributed to quite a few of the players but edging his

colleagues was surely Karl Lacey who popped up just about everywhere in defence, nipping opposition attacks in the bud and totally frustrating opposing players with his anticipation.

The Four Masters' clubman covered miles in his white boots and even popped up against Kildare to rifle over a point when the pressure was on.

Unstoppable Antrim make it 10 in a row



The Antrim team celebrate with the Liam Harvey cup.

Picture credit: Pat Murphy/SPORTSFILE

Antrim made it 10 Ulster Hurling titles in a row by beating Armagh by eight points in the final held at Casement Park on 3rd July.

Gutsy Armagh, 13-2 outsiders to pull off an upset, fought hard to keep in touch before Joey Scullion scored a stoppage-time goal for the Saffrons.

Colm McFall got the first goal for Antrim and Conor Corvan netted for Armagh two minutes before half-time. Paul

McCormack scored a goal as Armagh cut the gap to four points while Antrim's Ciaran Herron was sent-off. Herron, who with Karl McKeegan, picked up a 10th Ulster medal.

Armagh, appearing in their first Ulster final for 65 years, had been given little hope. That was despite the fact that Dinny Cahill had selected an understrength Antrim side as his focus was on the All-Ireland qualifiers.

Coca-Cola looking for 2012 'Future Flames'

The Coca-Cola Olympic Torch Tour touched down in Belfast in July to launch a nationwide search for inspirational young people - Future Flames - to carry the Olympic Flame during the London 2012 Olympic Torch Relay.

To recognise and reward the positive contributions

made by young people every day, Coca-Cola, a Presenting Partner of the London 2012 Olympic Torch Relay, is calling on everyone in Northern Ireland to nominate the Future Flames they know - young people who use their passion in areas like sport and physical activity, music and dance, and community

Pictured at the Northern Ireland launch of Coca-Cola's London 2012 Olympic Torch Relay nomination campaign are 'Future Flame' nominees... Holly Hamill, Jamie McClelland and Dempsey Andrews with James Williams, Director, Olympic Torch Relay, Coca-Cola.



and the environment; to spread happiness in their local communities. Coca-Cola is encouraging everyone to visit

www.cokezone.ie where they can nominate Future Flames until 5th September 2011.

Something in the Portrush air!

So after fifty three tournaments Darren Clarke finally won the major of all majors, and at the age of 42, not exactly over the hill as pundits would have us believe!

Yes, this was good reason to celebrate a wonderful victory, not criticise the big man as some kill-joys did when commenting on his celebration party. For goodness sake why can we not just be happy for a local man who has had more than a fair share of misfortune.

Leading up to the Open, Darren finished 77th in Morocco, a result which may well have left him pondering a decision to retire. However following a holiday he returned to win in

Majorca followed eight weeks later by winning the major of all majors in Kent.

An important meeting with Dr Bob Rotella on the eve of the Open would appear to have been not only fortunate but well timed. But that is all irrelevant now.

Moving back to Royal Portrush has played a major part in the revival of Darren's career and with the success of Graham McDowell one could be forgiven for saying there's something in the air, either way Northern Ireland now has three major winners and for a country the size of Northern Ireland that is some accomplishment by any standard.



Darren Clarke shows his Open trophy off to his many fans at Portrush.

Sparkling performance from new golf champion!

The Magners North of Ireland Golf Championship, one of the Province's most prestigious golfing tournaments, took place recently at Royal Portrush Golf Club. Over 300 competitors took part in the event, which is considered one of the leading, and most successful golf tournaments in Ireland.



James Simpson (left), Tennent's NI, is pictured presenting Patrick McCrudden from Royal Portrush GC with the Magners North of Ireland Golf Trophy, along with Magners girl Sarah McQuillan.

After five days of intense competition Patrick

McCrudden from Royal Portrush GC emerged as the overall champion defeating Harry Diamond from Belvoir Park GC in the final play off.

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Grounds for celebration at start of Carling Premiership



The Irish Football Association launched the third season of the Carling Premiership with the announcement that match attendances increased by almost 20,000 since the leading beer brand took on the sponsorship two years ago.

The new season, which kicked off on Saturday August 6, has been eagerly anticipated by football fans in Northern Ireland and follows a hugely successful two years of Carling's sponsorship of the Premiership.

Hugh Wade, Chairman of the Premiership Management Committee, said, "We are looking forward to yet another exciting and action-packed

season with the full and generous support of sponsors Carling. The Carling Premiership is getting better every single season and we hope to build on last year's successes. Carling continues to support the league both financially and with additional marketing activity, which has once again raised the league's profile to new levels. Fans are coming out in their thousands each week and I'm sure the support will continue to grow this season and for many more years to come.



Carrick Ranger's David McAlinden, Glentoran's David Howlett, Lisburn Distillery's Neil Gawley and Dungannon Swifts Aidan Forker along with Carling Marketing Director Dara O'Donnell and Carling referee Catherine Jennings.

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Carling Marketing Director Dara O'Donnell said he was looking forward to another successful season ahead.

"Carling is very happy to be associated with the Premiership in Northern Ireland and we are confident it can only get bigger and better this season," said Dara.

"Already during our two years of sponsoring the League, attendances have increased, grounds have been improved and the standard of play continues to improve.

"In the coming season we will be taking this support to the next level with exciting new projects - which we will announce over the coming months," he added.

The new season promises to be an exciting one as reigning Carling Premiership

champions Linfield will be aiming to maintain their place at the top. Last year's runners-up Crusaders will be hoping to contend once again for the title, boosted by their European exploits this summer while Glentoran are desperate to bounce back after a disappointing 12 months in the League. Carrick Rangers could also be a team to watch, having made a return to the top flight.

The three year deal signed by Carling in 2009, worth close to a quarter of a million pounds, marked a significant investment for the beer brand in local football. It is the highest level of investment in the local league's history.

News updates, results, match reports, fixtures and statistics can be found at www.carlingpremiership.com

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