

Review Club

VOLUME 28 - Issue 5, 2015

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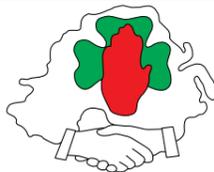
The Federation Invite New Members to Join

By joining the N.I. Federation of Clubs you will benefit from support by way of advice on a host of matters related to the day-to-day running of a club, such as those related to employment, the 1996 Clubs Order and Accountancy Regulations and rates relief to mention but a few.

Our helplines have proved most beneficial to members and are as follows:

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N.I. Federation of Clubs Membership Application Form



Name of club:

Address:

Telephone No:

Fax No:

Club Officers

Chairman:

Tel:

Secretary:

Tel:

Treasurer:

Tel:

The annual membership fee is £50.00 payable to:

The Northern Ireland Federation of Clubs

c/o Mr Bob McGlone, Secretary
1 Sultan Square
Belfast BT12 4SU

For telephone queries call:
028 9029 5134

(Please include your membership fee or completed standing order form with your application)

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Accepted by: Secretary

Seconded by: Chairman

Date:

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Club Name:

Address:

Please sign and return to:

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Authorised by: (1)

(2)

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Supreme Court makes judgement on Linneweber 1

The 8th July 2015 saw the release of the Supreme Court decision in the long-standing dispute between HMRC and Rank in respect of the VAT treatment of income generated from gaming machines and the request by Rank for repayment of VAT declared on gaming machine income.

The initial argument made by Rank in 2006/2007 was that takings from one gaming machine should not be treated differently, from a VAT perspective, to the takings from another machine – where the principle of 'fiscal neutrality' had been confirmed by the European Courts of Justice in the case of Edith Linneweber.

Initially the Courts found in favour of Rank and many clubs received repayment of the monies claimed together with interest. More recently, HMRC changed their argument and sought to rely upon the fact that they had incorrectly treated some gaming machines as being

exempt from VAT where in fact the law had required this income to be subject to VAT at the standard rate.

Having won agreement from the Court of Appeal HMRC then proceeded to requested repayment from all clubs that had received repayments, together with further interest. The final decision on this matter was left to the Supreme Court, which somewhat surprisingly, in the eyes of many, found in favour of HMRC.

At this stage HMRC will consider that they have been successful, however Rank and other operators in the gaming industry have further cases to litigate meaning the argument about fiscal neutrality and gaming machines is far from over and there remains a chance that clubs will receive repayments.

What this decision means to clubs:

- At this moment HMRC have no reason to repay monies

they originally repaid and then recovered, but there remains the possibility that they may have to do so

- Claims made for periods prior to 1996 will not be repaid as the machines that remain to be considered were not in existence at that time, so all machines treated as being exempt from VAT were treated incorrectly
- Linneweber 2 claims remain valid and we understand further test cases are being prepared

At this stage clubs are not required to do anything further, HMRC will continue to pursue repayment of the amounts they initially repaid in Linneweber 1 and reject any Linneweber 2 claims.

If clubs have not made a claim in respect of Linneweber 2 or have not 'topped up' their claim until 31 January 2013 when VAT on machine income was abolished and MGD came into existence, they should consider whether they wish/need to do so.



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European directory VAT scam alert

We have once again heard of a number of Clubs receiving a letter entitled 'Publication of companies and VAT Registration Numbers in the UK Corporate Portal 2015'.

The letter suggests that 'as part of the changes to the EU economic package, obligating all companies to provide their VAT Registration Number on various documents since 2010, we as a publisher of leading internet portals are required to update our database'.

The company in question is a German company called TVV Tele Verzeichnis Verlag GmbH and its website address is: www.uk-corporate-portal.com which is mentioned in the letter.

The letter which Clubs have received looks very official and includes the Club name and address and a form to complete and return to the Company. However, if the form is completed and returned then the Club agrees, via the small print, to pay £797 annually which the company states is an advertisement charge.

We strongly advise that this form is not completed, is not returned, and if received, is simply filed in the waste paper basket.

If Clubs are in any doubt over correspondence which has been received and the legitimacy of the correspondence then please contact the Federation Helplines before taking any

letter to be an official communication. "But if they sign and return the form to confirm their details are correct they could end up tied in to the high costs of an entry in this publication.

"Several businesses are already listed on the website as basic entries, so we anticipate that all those businesses will receive the letter. "Businesses should be aware that there is no obligation on them to provide any information to the company and entries



do not have to appear on the company's website or portal."

Employee has a second job

Employers should check staff are not working more than the maximum legal limits for working hours in a week. Below is a scenario, as an employer, you could all too easily find yourself in.

I have an employee who works 39 hours but he is planning to regularly work 12 hours in a second job over the weekend. Does his extra job pose a problem to the number of hours he is legally allowed to work?

Technically, you have a responsibility, along with the other employer if the employee obtains other work, to check that he is not working more than the maximum legal limits

for working hours in a week. The Working Time Regulations 1998 state that individuals should not work for more than an average of 48 hours per week, generally calculated over a 17-week period.

The Regulations contain an exemption, however, meaning that you can ask employees to sign an opt-out form which effectively removes the 48-hour restriction and allows employees to work for longer in a week.

The opt-out form does not apply to the other minimum entitlements provided in the regulations, for example, minimum break entitlement during the working day or weekly rest periods.

The Regulations were effectively a health and safety measure put in place to protect employees' wellbeing by forcing employers to ensure that they get a minimum amount of rest throughout the year. Some enforcement of the provisions is done by the Health and Safety Executive. However, the power ultimately comes down to the employee who can make the decision to sign an opt-out form and disapply the weekly limit on working hours to themselves. It is unlawful to force an employee to sign an opt-out form, or to dismiss him if he refuses.

You should therefore ask your employee to sign an opt-out agreement to show that you

have taken steps to stay within the law. If they refuse to sign the agreement, then you should take reasonable steps to ensure that their working hours do not exceed the limit. This may mean contacting the employee's other employer to ensure that, between the two of you, the employee is not working too many hours. You need only take reasonable steps, however, and if the employee is not willing to pass information about their other employer to you, then your steps are limited.

For more information contact the Labour Relations Agency: 028 9032 1442 (Belfast Office) 028 7126 9639 (L/Derry Office) You can also contact the LRA by email - info@lra.org.uk

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New National Minimum Wage Rates

From Thursday 1st October 2015, the adult rate of the National Minimum Wage (NMW) will rise by 20 pence from £6.50 to £6.70 per hour, as recommended by the Low Pay Commission (LPC) in March 2015 this year.

The government has rejected the LPC's recommendation for the apprentice rate. The new apprenticeship rate will be set at £3.30 and represents a rise of 57 pence, the largest ever increase in the National Minimum Wage for apprentices. By implementing a rate higher than the LPC's recommendation, the government intends that apprenticeships will deliver a wage that is comparable to other choices for work.

From 1st October 2015:

- the adult rate will increase by 20 pence to £6.70 per hour
- the rate for 18 to 20 year-olds will increase by 17 pence to £5.30 per hour
- the rate for 16 to 17 year-olds will increase by 8 pence to £3.87 per hour
- the apprentice rate will increase by 57 pence to £3.30 per hour
- the accommodation offset increases from the current £5.08 to £5.35

This is the largest real-terms increase in the National Minimum Wage since 2007, and more than 1.4 million of Britain's lowest-paid workers are set to benefit.

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Avoiding staffing sadness in the summertime

Although it has been rare this summer, the appearance of the sun often seems to coincide with the disappearance of some employees. Here are a few pointers on how to keep your workforce in check when the sun comes out.

Tips for avoiding sun loving staff absences

- Keep attendance records. This show the number of absences and any patterns. Have guidelines in place so all managers are aware of how much absence is too much.
- If you think an employee is taking too much time off have a look at the records. Do the days of absence fall on a particular day of the week, eg. Monday or Friday? Does the employee happen to fall

ill before or after a period of holiday?

- Have a private, informal meeting to discuss his absence. This could be done as part of a return to work meeting if the employee is returning from a day or period of sickness absence.
- Tell him you are sorry to hear he has been unwell and ask how he is feeling. Put the facts to him; tell him how many days he has had off sick in the last year. If his absence does have a pattern tell him about it.
- Occasionally an employee may become quite defensive and say 'are you saying I wasn't really sick? You think I've been lying?' You can make clear that you are not saying the employee is lying

about being ill, just that as his manager you have concerns about his attendance. Ask the employee if he has any underlying medical condition.

If he does it may amount to a disability in which case reasonable adjustments may need to be considered.

- Nine times out of ten an employee will say that he does not have an underlying medical condition and he does not know why a pattern has formed. If that is the case then you can agree some targets going forward, eg. no days off sickness in the next three months.
- An employee will usually realise that he is on the radar after such conversations and absence levels will improve. Although the meeting is informal, ensure you take notes and have the targets in writing. Tell the employee that if his absence does not meet and maintain the agreed attendance targets you reserve the right to look at things formally.



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Questions & Answers

Q. The Committee are seeking to employ a new Club Secretary. We have an existing employee who works behind the bar who may be suitable for this job. Is it advisable to employ a person as both Secretary and a bar employee?

A. If the Committee wish to employ a person for the role of Club Secretary then there is no legal reason why the person who is presently employed behind the bar could not be considered for the role of Secretary. Whilst there could be concerns over employing one person as both Secretary and as a bar employee (due to the level of access they would have to Committee Meeting Minutes and other confidential information), should there be a candidate who the Committee had faith in then it would be permissible to allow them to apply for the role. The Committee would simply have to be confident that their present duties and obligations as a bar employee would be able to be balanced with their obligations and responsibilities as Club Secretary. It is therefore important to take the time to establish if the present employee would be the correct person to occupy both roles. I also suggest that the Committee keep an open mind regarding alternative candidates

and go through a proper search and subsequent interview process. You will appreciate that a good Club Secretary will be someone who is very good at office administration, organisation and minute taking which, to be fair, may not have been the specific qualities you considered when originally employing the person in question to work behind the bar.

Q. Last year, the Chancellor announced a £2,000 small business tax relief. We have not fully benefitted from this tax relief as we have had an employee on sick leave and have paid them Statutory Sick Pay (SSP). We would normally reclaim the SSP but we cannot do so until it amounts to more than the £2,000 initial tax relief. Are we legally obligated to pay SSP?

A. This is an issue which has cropped up for Clubs this tax year. Whilst the £2,000 tax relief was a well-received bonus for small businesses it has meant that SSP has to be paid by the business for the first £2,000 paid which resulted in some small employers not benefiting from the initial tax relief as much as they expected. It is, however, still a good result for most Clubs as many Clubs will not have an SSP bill approaching £2,000 in a single year. Regarding your second question, the payment of SSP is legally required for eligible employees. An eligible employee is one who has been off work through sickness for at least 4 cumulative days (including non-working days) up to a maximum period of 28 weeks. SSP is paid at a rate of £88.45 per week and to be eligible a worker must earn at £112 per week before

tax. If Clubs have any specific problems relating to employees on long term sick leave then please contact the Federation Helplines.

Q. Our Secretary currently records the Committee Meetings using a voice recorder to assist in the preparation of the Committee Minutes. Everyone in the meetings is aware of the recording taking place. Are we required to keep the audio recording of the Committee Meeting or can it be discarded once the formal Minutes have been prepared and accepted by the Committee?

A. There is no requirement to retain an audio recording of a Committee Meeting if one has been made. The Minutes of a Committee Meeting are normally prepared by a Club's Secretary and then are approved as correct at the next Committee Meeting. If the minutes contain errors then these should be raised at the Committee Meeting during the agenda item confirming the Minutes. It may therefore be helpful to retain the audio recording until the Minutes have been approved (in case of a dispute arising) by the Committee and then properly dispose of the audio recording. Increasingly, Clubs do record Committee Meetings to aid the production of the minutes and there is nothing wrong with this approach.

Q. We are recruiting a new Steward. Can you let us know what professional qualification we should be looking for the correct candidate to possess?

A. In the area of work as a Club Steward I think professional qualifications are sometimes less important than

the employment history of the person and their character. Someone well versed in the licensed trade from previous work, who is friendly and will get on with the Club's Members is likely to be a better choice than someone who simply has professional qualifications in a related area of work.

It is relatively straightforward to train an employee who is the right person but may need specific training on a particular area (stocktaking for example) and as such it is not a huge problem if the person you would like to hire does not have specific experience of every area of the role.

This is not to say that professional qualifications are not helpful but I think it is fair to say that many of the best Club Stewards may not have any professional qualifications at all. It is very much a service area and therefore the type of personality that the candidate has is an important aspect to consider when interviewing candidates. An ideal candidate will enjoy working in a Club environment and will supplement this with experience of working in the licensed trade.

Q. The Committee has received a request signed by 40 Members for a Special General Meeting to be held to discuss the future of the Club's function room. Whilst we are happy to have a meeting with the Members over the future of this room, is a Special General Meeting the proper forum for such a wide ranging discussion?

A. I can confirm that the request for the Special General Meeting (SGM) you have received is not, in my opinion,

appropriate. A SGM must be called in order to hold a specific yes/no vote. Whilst a discussion may precede the vote, the objective of the meeting must be clear and the precise wording of the motion must be known in advance. The motion that you have received is not precise enough to constitute a legitimate SGM request. In other words, it does not guarantee a vote on any specific issue, instead it suggests that a general discussion may be held, possibly with an unknown vote to follow. A notice calling a SGM must be precise in detailing what vote will take place and the wording of the vote that will take place. If Club Members are not clear on the vote taking place at a SGM then they cannot make an informed decision whether they would like to attend a SGM. For instance, I am sure many Members would choose to attend a SGM if the vote concerned an important matter such as converting the Club's function room into a snooker room or skittle alley. However, I am equally sure that significantly fewer Members would choose to attend a SGM concerning a vote on a less important matter such as painting the Club's function room blue. This is why there has to be absolute clarity regarding the vote taking place at a SGM. I suggest that the Committee refuse this request for a SGM and consider holding an informal meeting with Members regarding the use

of the function room. This occasion will provide an opportunity for matters and opinions to be discussed, which may assist the Committee, without there being any vote taking place. If the Members wish to re-submit their request for a SGM they must do so by specifying why the Meeting is to be held and the precise wording of the motion they wish the Club Members to vote on.

Q. We have a Committee Member who has been absent for the previous three Committee Meetings although he has sent his apologies in for each Meeting. Under our Rules, it states that a Committee Member shall cease to be a Committee Member if they are absent for three Meetings and their written explanations are deemed unsatisfactory by the Committee. What constitutes a satisfactory written explanation?

A. If a Committee Member is absent for three meetings and the Committee does not accept their written explanations for their absence then, under most Clubs' Rules, they cease to be a Committee Member. It is for the Committee to determine at each meeting if their written explanation for absence is satisfactory or not. If their apologies are accepted by the Committee then this would indicate that their written explanation has deemed to be satisfactory. If a Committee Member has not been absent for three Meetings, or their written

explanations for their absence have been accepted as satisfactory by the Committee, then they continue to be Committee Members. The Committee does not have the power to remove a Committee Member unless the conditions of the Club's Rules have been satisfied. I would suggest that if a Committee Member's written explanation is not accepted, that they are informed that their written explanation was not accepted.

Q. We have recently co-opted a Club Member to fill a vacancy which occurred on the Committee. A question has been raised over whether this co-opted Committee Member should have voting rights in Committee Meetings?

A. A person elected to the committee through the Casual Vacancy mechanism would normally have voting rights in

Committee Meetings. It would seem strange for a Committee to be able to elect Members to fill vacancies but not allow the co-opted Members to vote in Committee Meetings. You would end up having a person who is privy to all the confidential Committee discussions and contributes to Committee discussions but not able to cast a vote. If a co-opted Member was not able to vote then there would seem to be little reason to co-opt them in the first place. Therefore, I see no reason why a person co-opted to fill a Casual Vacancy cannot be granted voting rights and I can confirm that this is standard practice in other Clubs.

If you have a question that your club needs answered then don't hesitate to contact the N.I. Federation of Clubs via telephone or email.



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Cleaning supplies firm scam

We are aware of a firm called Gem Hygiene who are allegedly delivering cleaning supplies to Clubs on the mainland without them having been properly approved or ordered by a Club's Committee or appointed individual.

Their modus operandi is, allegedly, the following. They will call the Club in order to obtain the names of the Club Secretary/Steward/Chairman. Alternatively, they will speak to a Member of the Club's bar staff and offer to send samples which can then be returned if the Club does not wish to keep them. What they will not make clear is that acceptance of these 'samples' will enter the Club into a contract with Gems Hygiene to purchase the goods.

They may also state to the bar employee that they are previous suppliers to the Club or that they are attempting to just arrange a regular delivery of standard cleaning supplies which the Club uses.

Cleaning goods to the value of between £250.00 - £350.00 are then delivered to the Club, on the reverse of the delivery note is a cancellation policy, stating that if you do not want the goods you must inform Gem within a specific number of days or a cancellation fee will apply.

They then chase the Club for the money. Clubs are advised not to be bullied into paying



any money for goods which have not been ordered and ignore their threats of legal action being taken against the Club.

Whilst we are not aware of this company seeking business in Northern Ireland, clubs should

nevertheless be on their guard. In all cases, clubs should take this opportunity to provide a general reminder to all bar employees never to enter into any type of agreement with a supplier during an unsolicited telephone conversation.

Cracking down on lateness

The total cost of lateness can be significant to any business, big or small.

Scenario
I have an employee who recently has been late three times despite me having an informal chat. We are only a small business and it puts pressure on the rest of the staff. What action do I take?

Incidents of lateness, while only a minute or two here and there, may not seem like a big issue however the total time lost to the business, especially small businesses, can make the issue more serious. Reliability and trust in your employees that they will attend the business on time and make themselves ready

for work is an important part of the employment relationship.

As the circumstances surrounding repetitive lateness can be down to a number of things, an informal approach at the beginning can be a useful first step to address the situation. This can be more than an informal chat and can discuss with the employee that their attendance at work will be monitored. The reasons may not always be within the employee's control, for example if their public transport has been delayed or a road traffic accident has created a traffic jam, however the informal discussion will make the employee aware that the situation has been noticed and

can deter the employee from continuing with their late starts.

Where an informal approach has not rectified the issue, a formal procedure can be carried out. Repetitive lateness can be a disciplinary issue, especially if it has been identified as such within a contractual disciplinary procedure, and as a small business the employee's tardiness is likely to have a detrimental effect on the business and their colleagues.

A disciplinary hearing is the best forum to identify any outstanding issues behind repetitive lateness. If the employee makes you aware that the reason for their lateness is due to their caring

responsibilities for a relative or is related to a medical condition, this should not be ignored. Their reason for lateness may create a duty on you as an employer to alter their working hours as a reasonable adjustment. Alternatively, you can use this opportunity to remind the employee that they have a right to request flexible working, subject to eligibility. If the employee has no mitigating reasons to put forward, formal action, starting with a series of warnings, can take place. Sanctions should start from a low level and increase in seriousness, towards formal warnings and resulting in dismissal, where reasonable, if there is no improvement in the employee's attendance.

What are a club's responsibilities when it comes to the Disability Discrimination Act (DDA) and the Equality Act?

The easiest way to stay on the right side of the Equality Act is to follow the age-old adage "Do unto others as you would have others do unto you."

It's quite simple really - whatever decision you are going to make regarding your club, staff or member - put yourself in the other person's place and ask yourself, "how would I feel if this was happening to me?"

With that answer in mind you should not go far wrong. Well, that's the easy part. To try and un-muddy some of the waters, here is some more specific advice.

Why was the Act brought in and when did it become law?

The Act brought together several other acts to make it easier to enforce and understand. It also serves to bring all forms of discrimination under one umbrella and therefore make it harder to discriminate and easier to prosecute. It became law in April 2010.

What are the main changes under the Act?

- Improved protection for particular groups
- Increased scope of prohibited discrimination
- New public duties to reduce systematic inequality and discrimination
- Improved powers of tribunals

What are the key changes to the Act?

- Improved protection for disabled people
- New grounds of discrimination arising from disability and indirect disability discrimination

- Protecting people with disabilities from discrimination in the recruitment process (the bill) makes it unlawful to ask applicants about disabilities except in specific circumstances
- Protects carers from discrimination
- Increasing the number of accessible taxis

The Act talks about 'Protected Characteristics' - what are they?

The 'Protected Characteristics' in the Act are: age; pregnancy & maternity; disability; gender reassignment; marriage and civil partnership; race; religion & belief; sex; and sexual orientation.

The Act talks about 'prohibited conduct' - what is that?

There are four main types of discrimination:

Direct Discrimination

If person (A) treats person (B) less favourably than he would others

Harassment

A engages in unwanted conduct (physical, verbal or psychological) in relation to B's 'Protected Characteristic'

Indirect Discrimination

A applies a Provision, Condition or Practice which would be discriminatory

Victimisation

A victimises B by subjecting him to detriment

Plus one other:

A person (A) discriminates against a disabled person (B) if:

- 1) A treats B in a particular way
- 2) Because of B's Disability the treatment amounts to a detriment

3) A cannot show that the treatment is a proportionate means of achieving a legitimate aim

It is important to remember that the Act applies to one and all. It is important that any person who acts as a service provider, employer or landlord look at the Act and how it applies to them and act accordingly.

So, to ensure you are complying with the Act your club should complete the following checklist:

Look at your practices policies and procedures and make sure they are updated to include the Act.

Carry out an access audit on your property to highlight access issues and look at your practices, policies and procedures.

Put an access plan in place which will highlight your access problems, identify what you have done and put a time frame in place for improvements.

If challenged, these measures mean you can demonstrate a willingness to work within the Act.



If you have any questions on how this legislation affects your club, call the Federation Helplines (see pg 9), or the Equality Commission on 028 9050 0600.

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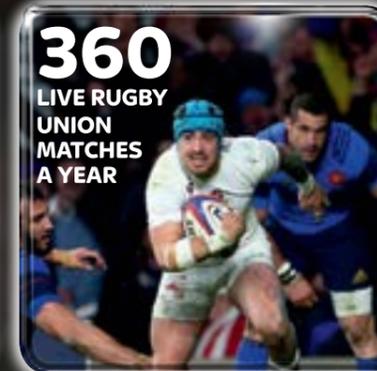
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Forbidden Flavours taste sweeter from Magners

Magners Original Irish Cider, Northern Ireland's Number 1 cider brand, this month launches Magners Forbidden Flavours: two new, refreshing and natural ciders, using Magners' famous seventeen varieties of apples but packing the extra bite of real fruit fusion.

The new flavour additions to the Magners' range are Strawberry & Lime and Cloudy Lemon, each crafted to bring innovation and excitement to the flavoured cider segment, which continues to enjoy year-on-year growth.

Interest in the much-heralded arrival in the local marketplace of Magners Forbidden Flavours will be heightened by this year's Not a Moment Too Soon

campaign, which reinforces of the quintessential ingredients in the Magners production process in Clonmel, County Tipperary: time.

Cider Brand Manager for Tennent's NI, Eimhear Daly, says, "Timing is everything and we feel the moment is right to shake up the flavoured cider sector with products which have real standout, even in a crowded marketplace. Magners Forbidden Flavours is all about delivering a totally new cider taste experience the natural way, with the edgy attitude that you'd expect from Magners."

Magners Forbidden Flavours are available now in 500ml bottles in leading pubs, clubs and off licences.



Eimhear Daly, Magners Brand Manager for Tennent's NI, samples the new Magners Forbidden Flavours that are now available in Cloudy Lemon and Strawberry & Lime.

Magical moments at Magners race evening

Pictured enjoying the Magners Race Evening at Down Royal Racecourse are (l-r): Bronagh and Aldo Morelli



from Amici Ristorante, Portstewart, Wilma McMaster, Royal Portrush GC and Jeff Tosh from Tennent's NI.

The Magners July Race Evening had race-goers descending on Down Royal Racecourse in their droves. The longer hours of daylight in summer provide the perfect opportunity to socialize with friends while enjoying a refreshingly chilled

Magners and racing late into the evening. While some came along after work, others had clearly taken the day off to don their best summer outfits for the occasion which delivered seven exhilarating races for all to enjoy.

Smirnoff launches new 'We're Open' campaign

Smirnoff has launched a new £100k brand campaign - 'We're Open' - which runs to the end of the year, and looks to celebrate and champion inclusive communities, moving people to be more inclusive.

The campaign has launched with a series of playfully provocative Out of Home executions that celebrate 'We're Open' through simple headlines, linked to areas that should resonate with Northern Irish consumers. Smirnoff's alternative take on types of bars and famous NI landmarks includes one-liners such as 'Labels are for Bottles', 'Trad Pubs or Hipster Hubs' and 'From Giant Stones to Famous Thrones'.

The out of home creative, which features Smirnoff's iconic no21 bottle, will run across Northern Ireland until December.

Smirnoff will continue to push its 'We're Open' mantra this summer through using local artist Marian Noone to create a bespoke interpretation of what "We're Open" means for Belfast night life. The mural which is currently on Great Victoria Street references "Banter in Botanic or Cocktails in Cathedral Quarter" referencing that no matter how you spend your evening in the city, you will have a good time.

Julie Bramham, Marketing Director for Smirnoff Western Europe, says, "Smirnoff has always stood for inclusivity. We believe that life is better when



you are more open to people and experiences and this new brand campaign encourages people to celebrate inclusivity in all its various aspects. The new out of home executions are really impactful and will hopefully make people stop and think."

Smirnoff, as market leader, is worth 68.8% of the £88million

vodka category and last year celebrated its 150th anniversary.

It continues to be at the forefront of innovation with a range of exciting blends such as Smirnoff Gold, which launched in August 2013, and ready-to-drink products such as Smirnoff Ice Double Black, which launched in April.

Harp Angel reaches new heights at Féile An Phobail

The Harp Angel took flight at Féile an Phobail (30th Jul - 9th Aug) kick-starting Northern Ireland's largest arts festival, celebrating Harp's sponsorship of the popular West Belfast event. The Angel was in on the act at the iconic 'Big Top' which hosted headline act UB40.

Championing Northern Ireland's optimistic spirit and the unique way of 'looking on the Harp side', the local Irish lager was on 'tap' throughout the two week-long festival.

This year also marked the 27th anniversary of the West Belfast Féile and the festival organisers pulled out all the stops in securing a stellar line-up for

the event. As well as 80's pop sensation UB40 (featuring Ali, Astro and Mickey), a host of other big names joined the line-up including: The Wolfe Tones and The Human League.

Speaking about the partnership, Cathal O'Neill from Diageo Northern Ireland said, "We were delighted to sponsor Féile an Phobail and felt that Harp, as one of Northern Ireland's favourite lagers, was the perfect pouring partner. It was also a great way for us to give something back to the publicans who've supported us year in, year out."

Féile Director Kevin Gamble added, "It was absolutely



Harp Angel's Looking on the Harp Side at Féile an Phobail.

fitting that Ireland's biggest community festival should team up with one of Northern Ireland's favourite lagers! It was great for us as a festival to have such a prestigious brand on board, and was also a wonderful boost for the community as a whole. We could think of no better partner than Harp to

help take Féile an Phobail on to the next level of success!"

The ten day August Féile took place over the first two weeks in August and included music concerts, comedy, outdoor and community events, street performances, a carnival parade, and lots more besides.

New Rates for PRS for Music

Tariff 'JMC' (2015.08)

Effective from 1st August 2015 (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 conditions prescribed for the purposes of section 125 of the Licensing (Scotland) Act 2005 by reg. 2 of the Licensing (Clubs) (Scotland) Regulations 2007 for Scotland, or
- the conditions for registration under the Registration of Clubs (Northern Ireland) Order 1996 for Northern Ireland.

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 2014.

	Higher royalty	Standard royalty
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 £9,479 (£9,203) 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 £9,479 (£9,203) 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	£7.19 (£6.98)	£4.79 (£4.65)
and per 25 persons capacity (or part thereof) thereafter	£1.79 (£1.74)	£1.19 (£1.16)
provided that: The maximum annual royalty for performances in category 3.1.1.2 is	£355.47 (£345.12)	£230.08 (£230.08)
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	£7.19 (£6.98)	£4.79 (£4.65)
and for each 25 persons capacity (or part thereof) thereafter	£1.79 (£1.74)	£1.19 (£1.16)
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	£3.48 (£3.38)	£2.32 (£2.25)
and for each 25 persons capacity (or part thereof) thereafter	£0.89 (£0.86)	£0.59 (£0.57)

Printed here are the revised rates (Tariff JMC) for PRS for Music, effective from 1 August 2015.

For further information call the Northern Ireland PRS for Music representative 0800 068 4828 or the Federation Helpline 07889 681714.

Club Secretaries should place these pages into their Red Management Manual. If you do not have a Manual please call Helpline number 07889 681714.

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

Higher royalty

£3.48 (£3.38)

Standard royalty

£2.32 (£2.25)

and per 25 persons capacity (or part thereof) thereafter

£0.89 (£0.86)

£0.59 (£0.57)

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

£177.72 (£172.55)

£118.48 (£115.03)

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

£44.43 (£43.14) per function

£29.62 (£28.76) 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)

£148.13 (£143.81) per screen

£98.75 (£95.87) per screen

with a screen greater than 26" (66cms)

£222.14 (£215.67) per screen

£148.09 (£143.78) per screen

3.2.2 Radio

.....

£148.13 (£143.81) per set

£98.75 (£95.87) 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)

£222.14 (£215.67) per player

£148.09 (£143.78) per player

with a screen greater than 26" (66cms)

£296.24 (£287.61) per player

£196.49 (£191.74) per player

3.2.4 Record and/or compact disc and/or tape player and/or music centre

.....

£325.86 (£316.37) per player

£217.24 (£210.91) 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***

£367.62 (£356.91)

£245.08 (£237.94)

3.3.2 **Audio jukebox with background music facility***

£517.55 (£502.47)

£345.03 (£334.98)

3.3.3 Video jukebox

with a screen no greater than 26" (66cms)

£483.77 (£469.68)

£322.51 (£313.12)

with a screen greater than 26" (66cms)

£580.53 (£563.63)

£387.02 (£375.75)

	Higher royalty	Standard royalty
3.3.4 Video jukebox with background music facility* with a screen no greater than 26" (66cms)	£599.85 (£582.38)	£399.90 (£388.25)
with a screen greater than 26" (66cms)	£672.42 (£652.83)	£448.28 (£435.22)
3.3.5 Combined audio/video jukebox with background music facility* with a screen no greater than 26" (66cms)	£662.72 (£643.41)	£441.81 (£428.94)
with a screen greater than 26" (66cms)	£723.33 (£702.26)	£482.22 (£468.17)
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	£48.38 (£46.97)	£32.25 (£31.31)

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.



Legally, you need to be licensed to play music in your club.

You probably haven't thought much about it. You've just got music on for your staff or customers. But did you know you need permission from the music's copyright owners if you play music, TV or radio aloud at work? It's the law. But don't worry, to get that permission you simply need a licence from PRS for Music* (and in most cases, one from PPL** too). PRS for Music is a membership organisation that acts on behalf of songwriters and composers to ensure they're paid for the use of their work. So if you have music playing, ask PRS for Music how you become licensed to listen today.

Contact PRS for Music on 0800 694 7326
or at prsformusic.com/musicatwork



*PRS for Music licences cover the vast majority of music originating from the UK and all over the world. However, if you play music that is outside of PRS for Music's control, you may need an additional licence from the relevant copyright owner(s). You will require a TV licence as well if you are using a TV in your premises. You do not need a licence from PRS for Music in the unlikely event that all the music you play is out of copyright or is not controlled by PRS for Music. **PPL collects and distributes royalties on behalf of record companies and performers. Further info at ppluk.com. All music licences are required under the Copyright, Designs and Patents Act 1988 which stipulates you must gain the permission of the copyright owner if you play music in public (anywhere outside the home environment).

Take giant steps for Action Cancer

Calling all keen walkers. Action Cancer is delighted to launch their 2015 Giant's Walk due to take place on Saturday 5th September 2015. The picturesque Giant's Walk, which is now in its 11th year, follows a stunning route along the Causeway coastal paths. The walk starts off from the award winning Giant's Causeway Visitors Centre making its way along the Causeway finishing at the Carrick-a-Rede Rope Bridge.

The route is just over 10 miles and passes along a fabulous coastal route, walking via landmark sites including the beautiful sandy beach at Whitepark Bay, Dunseverick Harbour and then through Ballintoy Harbour, both of which have been made famous by the hit HBO series Game of Thrones. There are some challenging pathways, but the breath-taking views make it all worthwhile. Every twist and turn in the path revealing spectacular new scenery. The half way point at Dunseverick Castle is a welcome sight and the perfect picnic spot for a well-deserved lunch break.

The walk will start at 10am on Saturday 5th September with registration open from 9.15am. There will be free car parking facilities at Carrick-a-Rede Rope Bridge (Quarry Car Park) and a bus will transport walkers from there to the beginning of the route at The Giant's Causeway.

Fundraising Events Officer Sarah-Jayne Cassells said, "This is a brilliant opportunity for walking lovers or anyone who enjoys a scenic walk to get out in the sunshine, meet new people, breathe in some north coast sea air and help support your

local cancer charity. To date the Giant's Walk has helped raise over £150,000 towards Action Cancer's lifesaving services - so by getting involved and taking part you too can help Action Cancer to continue to save lives in your local community."

The £12 online registration for The Giant's Walk is now open and Action Cancer is encouraging participants, where possible, to raise a minimum amount of £80 in sponsorship, the cost of a mammogram to the charity. Everyone who registers will receive a t-shirt and certificate on the day.

The money raised from the walk will help Action Cancer to save lives and support people affected by cancer in Northern Ireland. It is now predicted that one in two people will be given a diagnosis of cancer at some stage in their lives. Action Cancer provides a range of vital, life-saving services including breast cancer screening, men's MOT health checks, health promotion, research, counselling and complementary therapies. Services are available regionally through the mobile facilities on The Big Bus and at Action Cancer House in Belfast.

Action Cancer does not receive any government funding and needs to raise at least £3.5 million a year to continue its services. Therefore, your support and participation at this event will be very much appreciated.

For further information on the event and an information pack, including registration form, map and sponsor forms, email sgraham@actioncancer.org or contact Stacey on 028 9080 3349.



Former UK and Europe's Strongest Man Glenn Ross takes 'Giant Steps' to help launch the Action Cancer Giant's Walk.

Tennent's NI raises £18.5k for Friends



Claire Hogarth from Friends of the Cancer Centre (third from left) is pictured at the presentation of funds from Tennent's NI's 'Make Time for Friends' fundraising campaign with Tennent's NI employees: (back row, l-r) Connor Magill, Jennifer Moore, Declan McDonagh, Jeff Tosh, Stephen Power, Annemarie McDonagh, Seamus Donaghy, Terry McCourt, Ryan Knox and Connor McCausland.

UGAAWA Monthly Merit Award winner

There is no simple way of picking a winner of the Quinn Building Products UGAAWA Merit Award for a month like July 2015. It was a month when both male and female football, hurling, handball and camogie was played at the highest level and when many individuals shone. A month of high octane action so the only way to pick a winner was through the old fashioned method of argument.

After a protracted period of that, the final vote fell in favour of Malachy O'Rourke, who masterminded Monaghan's nail-biting one point victory over Donegal in the Ulster SFC final, at Clones.

"That's a big surprise to me," claimed Fermanagh man O'Rourke when told of the decision. "Of course, I'm very honoured and delighted to win the award. It was a tight game but our players weathered the storm very well. I was delighted with the result, naturally, and this is a major bonus for me."

When players shine often the manager's role is overlooked. The way that Malachy O'Rourke set up his team to deal with the various threats that Donegal presented was a master stroke. Also, the way that he changed plans when the need arose and his use of his bench proved vital to Monaghan's victory. The players surely responded to their boss' ideas and promptings but without the carefully laid plans, and the steel nerve to carry them out, the Anglo Celt Cup might well be in Donegal for the next 12 months, rather than in Monaghan.

It took something a little different to win the Quinn



(L-R) John P Graham, UGAAWA; Marty McGrath, Quinn Building Products; Gerry McLaughlin and Paddy Hunter, UGAAWA, present the July Merit Award to Malachy O'Rourke, Monaghan Manager. Pic: Peadar McMahon

Building Products UGAAWA Award for July and Manager Malachy provided that little bit extra.

He had strong opposition from Fermanagh's Tomás Corrigan who stood out in three games during the month, with his spectacular goal against Westmeath a work of art. Conor McManus produced his now normal super show in the Ulster final, too, while Donegal hotshot Geraldine McLaughlin wasn't far behind when the Tir Connail ladies gained revenge over Monaghan in their Ulster final.

On the handball courts, Maeve McElduff (Tyrone) and Declan Doherty (Monaghan) produced sterling stuff to claim places in the Ireland team for the World Championships in Canada this month and had to be considered too, but, after debate, Malachy O'Rourke got the nod. This is his second such award as he was also the winner for April 2014.

GAA Dynasties exhibition



Pictured at the launch of the GAA Dynasties exhibition at the GAA Museum at Croke Park is Dublin's Bernard Brogan Snr (left), and Donegal's Martin McHugh. The exhibition, housed on the ground floor of the GAA Museum, which runs until May 2016, is a celebration of the unique sporting achievements of some of the GAA's most famous families and includes items from the Canning's, of Portumna, and Galway, the Kernan's, of Crossmaglen and Armagh and the McHugh's of Donegal.

Picture credit: Stephen McCarthy / SPORTSFILE

Tennent's NI swing in with support for N.I. Open

It's the sport that keeps on giving: just when you thought the local golf scene couldn't get any better, along came the Northern Ireland Open, in association with SPHERE Global and Ulster Bank.

This year, Tennent's NI added extra power to the tournament as a main sponsor of the mega-golfing event that took place at Galgorm Castle Golf Club (August 6-9). The NI Open is the only international golf tournament played annually in Northern Ireland, which featured some of the best known and most respected players on the European circuit battling for sporting honours. As the profile of golf has been soaring higher than ever before, organisers had predicted that 2015 would exceed last year's record breaking attendance of 34,000.

Tennent's NI was delighted to be at the centre of the sporting and social excitement. Brian Beattie, Marketing Director for Tennent's NI said, "Our world class portfolio of marketing-leading brands was a perfect match with the world-class golf that was on offer at the NI Open and we were delighted to partner with the great team that staged this fantastic event.

"We enjoyed an amazing demonstration of world-class golf played in a world-class location. Galgorm's stunning course was bathed in sunshine and the only 'pouring' was three of our own crowd-pleasers: Tennent's Lager, Magners Original Irish Cider, and newly-launched rising star, Roundstone Irish Ale. They were centre-stage for the sociability which surrounds this great tournament and a key element of the NI Open Good Food Festival which was a popular feature of the wider offer at Galgorm Castle Estate."

Ross Oliver, Event Manager, welcomed Tennent's NI on board, saying, "We were delighted to have secured the support of leading drinks company, Tennent's NI, for the 2015 Northern Ireland Open. Tens of thousands of spectators seemed to be equally pleased, because, as golf fans will testify, watching their favourite sport can be thirsty and congenial work. Tennent's, Magners, and Roundstone went down very well in the 19th hole."

The tournament was won by Frenchman, Clement Sordet, who fired a 66 in the final round to secure victory in only his fourth professional event.



Brian Beattie, Marketing Director for Tennent's NI (left), pictured with Ross Oliver, NI Open Event Manager.

New League Cup sponsor announced

The NI Football League are delighted to announce that JBE Mechanical Electrical are the new sponsors of the League Cup for the 2015/16 season.

Andrew Johnston, NI Football League Managing Director, said, "To secure JBE as the sponsor of our League Cup is fantastic news for the NIFL and our clubs. The League Cup is our top knockout competition and has created so many exciting games and Finals over the years."

John Blair, Managing Director of JBE said, "We feel this



JBE's, Ruth Winning, David Murphy, and Joanne Croskery, alongside Andrew Johnston.

League Cup sponsorship will be fantastic for developing our company brand and subsequently will increase visibility in our marketplace. As life-long supporters of Ballymena Utd Football Club, we hope that our local team can go one step closer in this year's competition and lift the trophy having come so close last year!"

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Golden Goal Stuns Italians



Korean Republic's Ahn Jung-Hwang leaps to head in their golden goal, consequently knocking Italy out of the World Cup.

The Korean Republic's World Cup fairytale took on a scarcely believable scale of romance in the Daejeon Stadium, when they knocked out the mighty Italians with a dramatic Golden Goal. The relief and joy shown by Ahn Jung-Hwang, the Koreans' best striker, was almost indescribable after he out-jumped the legendary Paolo Maldini to head home Lee Young Po's cross in the 117th minute. For it was Ahn who had missed a penalty after just four minutes, allowing Christian Vieri the chance to score an opener to hand the initiative to the Italians. Now he had consigned his error to distant memory, left the Italians no chance of reply, and caused an eruption among South Korea's 'Red Devil' fans to compare with any celebration seen since World Cups began.

The Korean stadia had been flooded in a sea of crimson since the start of the tournament, and the noise was deafening when Seol Ki-Hyeon pounced upon Christian Vieri's error to throw the Koreans a lifeline and send the match against Italy into extra time. There were only 38,588 packed into the Daejeon Stadium, but they sounded like a hundred thousand as the extra-time victory was secured, and celebrations spread to central Seoul and throughout the country.

Guus Hiddink, the brilliant Dutch coach who had masterminded the success, claimed, 'What the Korean players have done is unique.' They went on to beat Spain in a shoot-out before falling to Germany in the semi-final. Ahn was ecstatic until told that his club, Perugia, didn't want him back because he had knocked Italy out.

Snooker's first streaker

Although the art of streaking is not uncommon in the world of sport, it had remained largely virgin territory in snooker. However, all that changed in 2002 when a World



Andrew Slater dons his Sven-Goran Eriksson mask at the 2002 World Championships.

Championship first-round match between Paul Hunter and Quinten Hann was rudely interrupted.

The streaker was later identified as unemployed Andrew Slater from Doncaster. Somehow, managing to shed his clothes while seated in the audience without alerting anybody's attention, the 36 year-old invaded the game in all his glory - other than for a Sven-Goran Eriksson mask which he used to cover his face.

Although certainly startled by the event, the players bravely played on once the streaker had been removed by officials. Hunter's eventual defeat to Hann by 10 frames to nine was unquestionably overshadowed by the man from Doncaster, who was responsible for this momentous, if not-so-sporting event, which will certainly live on in the memory.

Also this year...

Football - In the 2002 FIFA World Cup, held in South Korea and Japan, Brazil won for the fifth time, defeating Germany 2-0 in the final. Surprisingly, Turkey and host nation South Korea took 3rd and 4th places.

Boxing - Lennox Lewis retained his WBC world Heavyweight crown with an eight round knockout over Mike Tyson.

Cricket - Surrey and England all-rounder, Ben Hollis died when he crashed his Porsche into a wall on his way home from a family celebration. His death at the age of 24 years 132 days was the youngest of any England Test cricketer.

GAA Football - Armagh pipped Kerry by a single point to win the All-Ireland Senior Football Championship 1-12 - 0-14.

Golf - Tiger Woods won the US Masters to become only the third player to win the famous Green Jacket in consecutive years. He also won the US Open this year.

Horse Racing - Best Mate won the Cheltenham Gold Cup and Bindaree won the Grand National.

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