

# Club Review

VOLUME 29 - Issue 2, 2016

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## Minutes of the Executive meeting

Hosted by H&W Welders F.S.C., Belfast  
 on Saturday 13th February 2016

Carrickfergus RAOB phoned to express thanks for securing a reduction in their BSkyB package from over £1,000 to £548 per month. They said the representative could not have been more helpful. Although three boxes were signed up for originally, one was required.

Clubs should avoid the temptation to use foreign satellite broadcasts, despite assurances by some suppliers often claiming it is legal. We can check the BSkyB tariff for you to help with decision making, having already assisted a number of our members.

North West delegate Gerry Gallagher arranged a meeting with the Minister Mark H. Durkin on the entertainment license issue. Gerry was accompanied by the Chairman, John Davidson, and Vice Chairman, Brian McCartney. A follow-up meeting with the Minister is being arranged.

A meeting was arranged with Independent MLA John McAllister on the rating issue. This is to be followed up with a meeting with the Finance Minister Mervyn Storey MLA, to highlight the many benefits registered clubs provide in supporting sport. The Chairman thought it important that we are accompanied to the said meeting with representatives of other sporting bodies such as those representing the Golfing Union of Ireland, the Northern

Cricket Union, Rugby and the N.I. Sports Forum. Local MLA's, Robin Newton, Sammy Douglas and Leslie Cree, have been helpful in arranging the meeting with the Minister Mervyn Storey MLA, now that the new rating bill has been passed. We are pleased to learn that the Minister is looking at some further considerations on the bill when it gains Royal Assent and passes into operation in September 2016.

MJU Utilities have so far proved to be true to their word in respect of lower energy charges. They have the ability to monitor progress as a club/client passes through a contract period, assuring, as far as possible, that a club is on the best tariff. The Chairman's club has secured excellent savings which he hopes other member clubs can avail of.

Over the years the Federation has developed excellent relationships with suppliers to the sector. Our Chairman has sent emails to all suppliers, extending good wishes for the New Year and thanking them for their support. In all but one case they have responded to the Chairman, thanking him and reciprocating with good wishes to him and the Federation.

The Chairman congratulated the PRO on being awarded the British Empire Medal (BEM) in the New Years Honours list. The PRO thought it

appropriate to acknowledge the support he has received over many years from his Federation colleagues and the wider club family. The Association of Conservative Clubs and CORCA Chairman, Lord Philip Smith CBE, has also congratulated the Federation PRO on the award, as has Stephen Goulding Secretary of the CIU.

Roy Graham of Dungannon RBL called regarding Linneweber. He is forwarding a letter received for our guidance.

Dennis Deacon Bangor Ex-Services Club has also received a similar letter from the Courts of Justice. The Chairman recommends that clubs should forward these letters to their club accountant.

A query was received regarding guidance on members who resign their membership, yet continue to use the club. Another query was received from a club member regarding being elected to office. He was refused to be considered for

*continued on page 4*

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election to Chairman. The Chairman advised him that his query should be directed to the club secretary in writing.

A request was received on details related to the role of a trustee. A copy of the details we have available were forwarded by return.

Carrickfergus Bowling Club requested confirmation on the information on advertising - they were delighted with the prompt reply and the information provided.

A club enquired about the benefits of Federation

membership. He acknowledged and expressed thanks upon receipt of the details.

Another enquiry was related to the legal requirements attached to storing heating oil. The Chairman advised contacting Belfast City Council and their insurance company.

This concluded the meeting. Harland & Wolff Welders was thanked for hosting the meeting and for the excellent hospitality provided.

*H. Beckinsale, PRO  
For and on behalf of the Secretary,  
Bob McGlone.*

## Minutes of the AGM

### Hosted by the R.A.O.B. HQ, Belfast, on Saturday 12th March 2016

The Chairman opened the 2016 AGM, welcoming club delegates and by requesting a minute's silence in respect of past executive committee, club members and delegates, following which he invited the PRO to read the minutes of the 2015 AGM.

The PRO explained that he would read the 2015 minutes due to the Secretary, Bob McGlone, being in hospital.

The minutes were passed as a true record by R. Hinds of the Ulster Maple Leaf Club and

seconded by Jim McQuillan of Donegal Celtic.

The Chairman made reference to the PRO Harry Beckinsale having being recognised in the New Years honours list, which was acknowledged by acclamation from delegates.

The Federation Treasurer, David Larmour, then provided a detailed financial report which was subsequently proposed by D. Murray of Harland & Wolff Staff Club and seconded by R. Hinds of the Ulster Maple Leaf Club.

At this point, the Chairman, John Davidson, proceeded to provide an overview of the favourable changes to the Clubs Order which he thought by now would have passed into law. It was explained, that while they have gained Royal Assent, they have yet to be passed by the Legislative Assembly. Hopefully this will come about when the Assembly resits after the May election.

Commercial rating has created problems for our members, not least of which impacts on tariffs, such as those related to BSKyB Television. Continuing the BSKyB issue, it was explained that we will be travelling to meet the company's Deputy Managing Director and Marketing Director in London on Wednesday 16th March 2016, to hopefully make the case for more favourable tariffs to attract uptake of the BSKyB service, against those provided by foreign satellite companies and indeed BT Sport, which is not like for like and which, it has been reported by members, has seen a significant increase in costs.

The Chairman explained in some detail the meetings in which we have been engaged with the Finance Minister, Mervyn Storey MLA. This meeting was followed by the opportunity to meet Alan Bronte of the N.I. Rates Agency, who was very understanding of the issues created since the rating review.

It was agreed that, particularly in regard to BSKyB, it would be best to establish what BSKyB will accept by way of rating documentation, in order to establish the most beneficial tariff, hence the need to attend the aforesaid meeting in London.

At this point the detail of our discussion with Minister

Storey and officials at Stormont was provided. It was obvious the Minister was both aware and extremely interested in the issue of rating related to the club sector and the impact on the sector following the rating review. He requested that he be kept abreast of developments and that his officials also be included in updates.

The Chairman acknowledged the support we have received from respective MLA's in securing meetings.

As was the case in 2015, the Federation accountant, Lawrence Shearer, provided an overview of the auto-enrolment pension scheme, explaining that all employers/clubs are required to engage in the enrolment process. He explained the complexities of the scheme, adding that it is advised to secure the services of a professional advisor, such as the services negotiated with Rollins Club Insurance. While there are Government schemes available, these are not likely to be as helpful as engaging with Gordon Smith of Rollins. (contact details: 028 9042 3555 or 07738081).

The issue of advising staff was underlined, stating that employers are not permitted to advise employees, but rather that employees are required to seek advice from an unbiased source. It is important to note that it is an offence which can incur a penalty.

PPL and PRS requirements were covered by the PRO, explaining that he and Tommy McMinn engaged in a meeting with PPL in London early in 2015. However this, although seeming positive at the time, has not established the same excellent relationship that we enjoy with PRS.

Nevertheless, with the vast majority of clubs in Northern Ireland being associated with sport, and importantly being non-profit making, a joint PPL & PRS licence could provide a better financial outcome for clubs. The said joint license is only available to the aforesaid amateur sports clubs, which continues to provide an advantage for our members against the club sector in mainland UK.

BSkyB's Pub and Club package is providing lower costs for a number of clubs, always providing the clubs rating NAV falls into a favourable level. This is something in which we are currently engaged in, with a meeting having been arranged in London on Wednesday 16th March 2016 with the Deputy MD of BSKyB and the company's Marketing Director.

Although we desire to obtain lower, more affordable tariffs and a simpler, easier to apply system, we acknowledge that to achieve this, it is important to engage with the company at local and national level.

Employment issues are always an area of concern, and these are covered by executive committee member Joe Patterson, who, many will be aware, is an experienced former union official and tribunal member.

Joe emphasised the importance of utilising the freely available services of the Labour Relations Agency as an excellent advice tool, and importantly, that in the event of a problem, contacting their insurance HR department, ensuring of course that their policy includes this service. Under the Rollins club insurance policy this is provided by 'DAS'.

The 'DAS' brochure, available on the Federation website, provides up-to-date information, specifically related to Northern Ireland employment legislation.

With utility bills being a big burden on clubs, Mark Rooney of MJ Utilities, an independent utility provider, addressed the meeting, providing details of the various providers and the means by which to secure, as far as possible, the best rates. Mark has been very helpful to us in recent months, having signed a number of major clubs and clients in the commercial sector. He welcomes club officials to contact him to seek the best rate possible for their club. Mark can be contacted on 077 7699 4870.

The Chairman then spoke on the support of charities and good causes by the Federation and its members, making particular reference to the Cancer Fund for Children's new Daisy Lodge facility at

*continued on page 6*

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Shimna Valley in Newcastle County Down. John provided an overview of the humbling experience of the executive committees' visit to the facility, which was opened by Rory McIlroy, who has embraced the charity over some years now, continuing to refer to member club, Holywood Golf Club, where Rory honed his craft.

Charities of course continue to receive support from our members, at which point the Chairman introduced the PRO, due to his long association with Fleming Fulton School and the Cancer Fund for Children. He made particular reference to how the Cancer Fund for Children has developed from the early years, as well as the major role Gillian has played in taking the charity to its present day position.

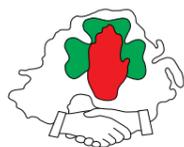
Gillian Creevy expressed thanks on behalf of the charity sector

for the support received by the Club Sector and in particular, the association between the sector and the Cancer Fund for Children, having been tremendously helpful over many years in supporting the charities various projects.

The PRO expressed special thanks to the Federation Executive, and member clubs alike, for the support he has received.

At this point the Chairman thanked all those in attendance and invited them to remain to enjoy some hospitality.

*Harry Beckinsale  
on behalf of Bob McGlone,  
Secretary, N.I. Federation of Clubs*



## Linneweber 1 update

Many clubs will have previously submitted, or had submitted on their behalf, claims for VAT considered overpaid on gaming machine income, possibly for periods prior to 6th December 2005 as well as for periods after that date, up to and including 31st January 2013.

To ensure claims were kept alive, appeals were submitted to HM Courts and Tribunals Service (HMCTS) and stood behind the Rank litigation. Part of the Rank litigation is now finalised - in favour of HMRC - and HMCTS are asking all Clubs whether they wish to withdraw their appeal(s) - meaning any chances of recovering monies from HMRC would be lost, or whether they wish to continue - in which instance, HMCTS

need to be told by clubs the justification for this, i.e. which ongoing litigation/case do clubs wish to stand behind. The NIFC is currently taking advice regarding the specific response that clubs should make to HMCTS but, as a starting point, if your club engaged your accountant or any other advisor to submit an appeal on their behalf, we consider that the club should direct this correspondence to that person.

Clubs should be mindful of the date by which HMCTS require a response, which we understand to be 24th March 2016.

Clubs wishing to receive NI Federation of Clubs guidance on this matter are asked to call the Helplines.

## Auto-enrolment:

### Do not put off the inevitable

Despite many companies' staging date having been and gone, there is still an alarming number of employers who are unaware of auto-enrolment.

Research shows that an alarming 38% of the working public are still not clued up on auto-enrolment or realise that they are entitled to a workplace pension. The research shows that working people aged 18-24 years old are the least aware, with more than 50% of people stating that they don't know what auto-enrolment is.

Even more worrying is the lack of knowledge that still exists among employers. According to The Pensions Regulator, hundreds of thousands of the smallest companies are still lacking the awareness of what auto-enrolment entails, and don't even know when their 'staging date' is.

Around 1.8 million employers are due to reach their staging date by 2018 (the vast majority of them by 2017). This is the day on which they must have a qualifying pension scheme up and running for staff. Employees must be automatically enrolled in the scheme, unless they have specifically opted out, and employers will have to make a pension contribution on their behalf.

Given that many of these employers are small businesses, they are likely to have little or no experience of running a workplace pension, and therefore it is essential to start planning well ahead of the staging date. Although it may be

tempting to put off preparation for auto-enrolment, it is advised that a business begins preparing 18 months in advance, allowing enough time to ensure it is compliant with the new regulations. Failure to comply will result in a financial penalty.

**What preparation has to be done prior to auto-enrolment?**  
An organisation's staging date is based on how many employees it had on its PAYE scheme on April 1st 2012 and their PAYE ref numbers.

Once an organisation is clear on its staging date, it will need to start by assessing the eligibility of its workforce (which in itself can be an extremely time consuming task), and reviewing its existing pensions arrangements. It is then important that an organisation provides the relevant information to its workforce. Opting out requests and refunds may need to be actioned, and all records must be maintained accurately.

**How can I help raise awareness and understanding of auto-enrolment among employees?**  
As you may be aware, as an employer you are legally obliged to automatically enrol your employees into a workplace pension scheme, rather than them actively choosing to join your scheme; and if they don't want to be in, they must actively opt out. For this reason it is crucial that employees are made aware of auto-enrolment from the beginning of the process, and are given all the necessary tools to help them make informed decisions about their future.

With more small businesses approaching their staging dates, employers and employees alike must prepare themselves for auto-enrolment.

Clubs should feel reassured that there is plenty of information and support available to help them through this process, both through the Pensions Regulator and also the Federation's approved insurance company, Rollins Club Insurance. You can contact Gordon Smith for

a no obligation consultation on 028 9042 3555, or e-mail [gordon@rbfp.co.uk](mailto:gordon@rbfp.co.uk)

Businesses which have already set up a workplace pension have said they found the process fairly straightforward.

**The message for small businesses is clear: auto-enrolment is coming; the sooner you get to grips with what you need to do, the better off you will be.**



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2. Take the appropriate payroll action. Find useful guidance in HMRC's tutorials.
3. Let your staff know about their new pay rate.
4. Check your staff under 25 are earning at least the right rate of National Minimum Wage.

You can find out everything you need to know about the new National Living Wage, including the new rates of pay, on the employers' National Minimum Wage web page - [www.gov.uk/national-minimum-wage/employers-and-the-minimum-wage](http://www.gov.uk/national-minimum-wage/employers-and-the-minimum-wage)

For further guidance contact your HR advisor or the Labour Relations Agency on 028 9032 1442.



## NIFC London meetings

Wednesday 16th March 2016 was, by any standard, an extremely busy day. The Federation Chairman, PRO and Treasurer, caught the first flight out of Belfast in order to attend the first of the two meetings. The first meeting was related to entertainment licensing which we feel could provide savings. A full report will be provided on this matter in due course.

The second meeting saw us travel to the opposite side of London for the CORCA meeting, CORCA being the umbrella organisation for all registered clubs in the UK.

Much of the focus on this meeting was related to the Linneweber 2 case and the correspondence which clubs

have been receiving, asking if they wished to remain behind the Rank case.

It is advised that such letters should be referred to the clubs accountant, something alluded to by the Federation accountant, Lawrence Shearer, at the Federation AGM.

Another issue covered in some detail was related to rating, and in particular, CASC's. We explained that this was an area which sees our registered sports clubs receiving an 80% rating allowance, always providing that a minimum of 20% of a given club premises is provided for a sport or leisure activity contained within the rating agencies list of prescribed sports or leisure activities.

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## MJU - Saving your club money

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### Example

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SSE Airtricity, Northern Ireland's second largest home energy provider, is announcing 10% reductions in its gas and electricity prices which will save its Northern Ireland household customers over £100 annually. The reductions will apply to all of SSE Airtricity's 345,000 home and small business customers or around one third of the energy market.

From 1 April 2016, SSE Airtricity is reducing its regulated natural gas prices for its home and small business customers by 10.2%. This will mean an annual saving of £53 for a typical household natural gas customer using a credit meter and £52 for a Pay-As-You-Go meter customer.

SSE Airtricity is also reducing its standard home electricity prices by 10.3% with effect from 1 June 2016. This will mean an annual saving of £51 for a typical household electricity customer paying by Direct Debit and £53 for a Key Pad meter customer. The reduction will apply to all home electricity customers including those on introductory switching discounts. New home electricity customers switching to SSE Airtricity from other providers will also benefit. Electricity prices

for small business and farm tariff customers will reduce at the same time by 10% on average, saving a typical small business around £200 annually. Price reductions apply to households, farms and small businesses. Unfortunately there is no mention of medium and large sized businesses benefitting from any of these price cuts.

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Business owners are being approached on a daily basis from companies promising the earth, moon and stars. Some will offer their services and explain they're free. MJU prefer to be open and honest with their clients. It's what makes us different and very successful at what we do. We're trying to build relationships with clients and most importantly trust. This ensures that we can return to our clients and they will happily do business with us again in the future.

### This is how we get paid:

When a business pays their energy bill the supplier gets a percentage. This is their margin.

Our aim, is for the supplier to lower their margin which enables us to add a commission for bringing the business

to them. We get paid our commission from the supplier.

### Example

Our client shopped around to see if he could reduce his energy tariff. He obtained pricing from a supplier which showed savings of around 13% on his current spend.

He asked us to obtain pricing for him also. We spoke to the very same supplier on his behalf but because MJ Utilities are now involved, the supplier realises that there is an opportunity they may not get the business.

In order to secure the contract they offered us rates for our client almost 6% cheaper than his direct quote (this included our commission).

### Outcome:

- our client gets additional savings.
- we secure the contract for the supplier.
- we obtain our commission.

### WIN A TELEVISION FOR YOUR CLUB

All clubs that we secure contracts for over the forthcoming months will be entered into our draw to win a 40 inch television for your club. So that recently signed clubs don't feel left out, they too will also be entered into the draw.

The draw will take place on Thursday 30th June 2016, so good Luck.

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## PRS for Music to visit Belfast



PRS for Music knows the value of music to business and has been providing music licences to businesses that play music for customers, employees or both for more than 100 years.

It firmly believes that music is part of any business' brand and is as important as its website, logo or décor and can not only positively impact revenue but customer and staff satisfaction.

PRS for Music is very pleased to be coming to Belfast on Thursday 28th April to host a workshop in association with Small Business Saturday followed by PRS Presents - a live music showcase.

Taking place at Oh Yeah music venue, the 'Inspire' workshop will focus on live music in and around Belfast, speaking to the key businesses about how live music impacts their venues as well as discussing the benefit of live music to both staff and customers. The workshop will be presented in front of a live audience as well as live streamed on Periscope.

Following on from the workshop, PRS for Music is pleased to present PRS Presents, its first outside of London, showcasing three of the most exciting PRS for Music members in Northern Ireland: Jealous of the Birds, The Clameens and Katharine Philippa.

"We are thrilled to be bringing this opportunity for PRS for Music to meet both its existing and prospective customers in Belfast in association with Small Business Saturday. Belfast is a hub for live music and to be able to showcase key local talent as part of our PRS Presents series is really exciting for us," says PRS for Music's Commercial Director, Paul Clements.

### Who is PRS for Music?

PRS for Music is a society of around 115,000 songwriters, composers and

music publishers - its members. It represents the rights of these members (and members of roughly 150 affiliated societies in nearly 100 countries around the world) by licensing organisations to play, perform or make available music in public. It then distributes royalties to those members and societies

fairly and efficiently - nearly 90 percent of all the money collected goes back to its members (the rest on its running costs).

**For more information about PRS for Music, please visit:**

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## Questions & Answers

**Q.** Could you clarify the procedures regarding the Chairman's casting vote. I understood that a Chairman could only cast a second (or casting) vote if they have voted in the first round of voting. I also understand that when using a second (or casting) vote the Chairman must vote to maintain the status quo even if this is not what they voted for in the first round of voting. Is this correct?

**A.** I agree entirely with your point that a Chairman must vote in the first round of voting if he or she wishes to cast a 'second' or casting vote in the event of a tie. This is an important point of procedure that is often overlooked. There was a case a while ago when a decision made by a Local Authority was overturned having been carried on the Chairman's casting vote. It was subsequently overturned when it was established that the Chairman has not voted in the first round. It is also normal practice that in the event of a tie, the casting vote is used to maintain the status quo, even if the Chairman voted alternatively in the first round. In short it is best not to carry through changes on a casting vote but rather to leave the matter in question for a future debate when a clearer outcome might be obtained.

**Q.** The Committee have decided to refuse a Membership Application request. Do we need to provide a reason to the failed candidate regarding why this decision was made?

**A.** There is no requirement to inform a failed candidate for Membership of the reasons why their application failed and in most cases we would advise Committees not to give any reason but to simply state that the application was unsuccessful. Indeed, given that it is a Committee vote and, in most Club's Rules, two votes against admission will cause the application to fail you may in reality not be aware of the reasons why the votes against were cast. Committee Members are not obliged to explain why they are voting the way they are to the rest of the Committee. Therefore I think it is sensibly to simply inform the candidate that their application has failed (if it does fail) and not get drawn into any further correspondence.

**Q.** A serious allegation concerning a Member of a Club has been brought to the Committee's attention. Some Committee Members wish to expel this Member immediately but I think we need to go through a disciplinary procedure first before making any decisions. Is this correct?

**A.** I completely agree. If the Committee wish to take action regarding this allegation then the Club's Disciplinary Procedure as stated in the Club's Rules should be used. The standard disciplinary procedure which should be followed is below.

The Committee cannot expel or suspend a member from the Club without first inviting them to a Committee meeting. A suspension or permanent

expulsion can only take place once a disciplinary meeting has been held. You can also only suspend a Member for a maximum of twelve months and this decision can only take place once a disciplinary meeting has been held. Prior to a disciplinary meeting being held a Member can only be asked to withdraw from the facilities of the Club.

If the Committee are of the opinion that this individual's behaviour has either broken specific Club Rules/Bye-Laws or could be judged to be prejudicial to the Conservative cause or the interests of the Club then they can summon this member to appear before the Committee. The Committee should inform them of the allegations that have been made against when asking them to attend the disciplinary meeting. The Committee can also instruct this member to withdraw from the facilities of membership until he appears before the disciplinary meeting.

It is normal that once the withdrawal takes place that a disciplinary meeting is held within two months and that at least seven days' notice of the meeting must be given to the member, in accordance with the Club's Rules. If this is how the Committee wishes to proceed you should write to the member and inform them that due to their conduct he has been requested to appear in front of the Committee. You should also include the precise details of the complaint and alleged conduct which has forced the Committee to summon the Member to them.

You should then hold the disciplinary meeting and, after reviewing any points this Member has to make in their defence, the Committee should decide if their conduct requires

a suspension of membership up to one year in length, permanent expulsion from the Club or no action taken against them.

If you decide to withdraw the facilities of membership from the Member until the Committee has heard the disciplinary meeting then this means that they will be unable to enter the Club until the disciplinary meeting has been heard.

**Q.** Are employees able to use the Club's Gaming Machines? We have Members who consider that it would be unfair for an employee to win a jackpot, perhaps aided by watching the machine.

**A.** Opinion is divided on whether it is possible for a person to determine when a machine might pay out although we are aware that there is a common perception that watching machines gives rise to an unfair advantage.

Gaming machines have to adhere to strict average pay-outs and this is calculated over the course of a machine's entire life and is therefore unpredictable. It may be that a machine goes months between the jackpot being won or it may be that two jackpots occur on the same day. With the advent of extra features such as nudges and hi/lo gameplay it is even more difficult to calculate if a machine is about to pay out.

It is, however, preferable to avoid any possibility of an unfair advantage, real or imagined, and as such it is good practice to prohibit Club employees from using the Club's gaming machines.

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

# HOP HOUSE 13

## NOW AVAILABLE IN BOTTLE



## What is the status of workers engaged in casual or zero hours contracts?

While these types of contract carry connotations of flexibility and reduced responsibility towards individuals upon employers who use them, the reality is that the employment relationship is not actually governed by the contract given to someone, it is in fact the way that the relationship is run, and the decisions that the employer makes on a day-to-day basis with regard to the individual in question. An analysis of these things will need to be done in order to properly establish the employment status of an individual between employee, worker or self-employed.

While the contract provided can genuinely indicate the intention

of the employer at the start of the employment relationship of that person, the employment status of a person can be fluid and either intentions may change, or more often, an employer can unwittingly alter the nature of the relationship by their behaviour.

'Casual' and 'zero hours' are terms which are commonly used interchangeably by people who are describing a flexible working relationship which does not operate under the same constraints as a full employment relationship. Both can mean an up and down nature of working; some days or weeks the individual will work because of an increase in demand for

the employer's business, and others they won't. This practice is the norm under these contracts because neither guarantee the provision of any hours of work and this is the most obvious difference to an employment contract, where there is a requirement for a minimum amount of work to be provided and a corresponding requirement for the employee to do that work.

Where this dual requirement, known as mutuality of obligation, is lacking, then the relationship cannot be one of employment, and will instead be casual. Where the person doing the work cannot send a substitute instead of them, then their employment status will be that of a 'worker' and consequently, the 'worker' rights will apply.

In reality there is little difference between a casual worker and some kinds of zero hours contracts. This is because a zero hours contract can work in the same way as a casual in that there is no mutuality of obligation, ie when work is offered, the individual can turn the work down if they wish.

Other zero hours contracts, however, operate in a different way and require the individual to accept the work when it is offered. This creates



the mutuality of obligation necessary for the individual to be an employee and therefore be entitled to the greater number of employment rights rather than 'worker' rights.

This distinction was confirmed with the recent changes to zero hours contracts seen in 2015 and 2016. Exclusivity clauses were banned in all zero hours contracts meaning that employers cannot prevent their zero hours staff finding more work elsewhere. Enforcement of this provide routes for both zero hours employees to claim unfair dismissal if they are dismissed because they have found more work elsewhere, and zero hour workers who can claim detriment for the same reason.

Even where casual or zero hours contracts are not intended to contain a mutuality of obligation, a pattern of behaviour which, in practice, inserts the obligation into the contract of the provision and performance of the work can persuade an employment tribunal that the individual is an employee and not a worker.

## Tattoos in the workplace

Many employers include in their policies one relating to dress code. Tattoos may become relevant if they could cause offence and /or invite provocation from members of the public or colleagues, and they must be of a nature which is suitable for the workplace (or if not, they should be covered in an appropriate manner).

### Can you be dismissed for getting a tattoo?

It depends on what your job is, where the tattoo is, what it says and what your contract says. For example, if you are someone who has no contact with the public, and you get a sensible tattoo on your forearm, then if you were dismissed for that you may have a good case for unfair dismissal.

Last year Metropolitan Police Officers and staff were told not to get any more visible tattoos and to formally register the ones they already had, on the grounds that they damage the professional image of the force. The Met has stated that a failure to comply with the policy is liable to be considered to be gross misconduct.

For any employment lawyer, a key question is how any tattoo could affect performance at work. A highly visible tattoo may not be a problem for a professional football player; it might be for someone in a role such as an undertaker.

For employers, dealing with tattoos can be a sensitive issue, if the tattoo is a requirement

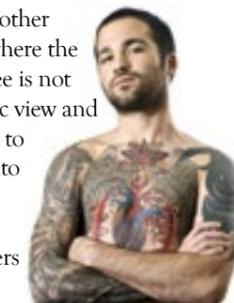
of a religion, it could be discriminatory to fail to employ or to dismiss because of the tattoo.

Employers who do have a blanket policy against staff having tattoos could also face a potential indirect age discrimination claim for such a policy, if (for example) it could be proved that the majority of people with visible tattoos are below 30 years old.

An important point for employers to consider in drafting their dress policy is the job role and person specification. If they are front-of-house and likely to be at odds with the image that the company wishes to portray, then it would be a legitimate requirement to have no visible tattoos.

On the other hand, where the employee is not in public view and unlikely to come into contact with customers (eg telephone operators), then the requirement may be found at employment Tribunal to be neither fair nor reasonable.

The employer needs to focus on the needs of the job, rather than what might amount to an outdated set of subjective corporate standards, to reach a sensible policy that is acceptable to the majority of the staff and employment judges.



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**LOOK HOO'S BACK**



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## Butterfly soars with silver T Tennent's leads the way

Butterfly Cane Spiced Rum, owned by Northern Ireland distributors and wholesalers, BOTL Wine & Spirits Merchants, has won international recognition in the prestigious annual Global Rum Masters Competition.



further with mellow taste and fashionable imagery combining to make rum more attractive and accessible to modern consumers. We are delighted to have brought Butterfly Cane Rums to Northern Ireland and we look forward to helping these great products to take off internationally, aided by the Global Rum Masters Silver Medal which is a welcome and significant third party endorsement for the brand's great taste credentials."

Butterfly Cane Rum is an entirely new product, a premium-quality rum matured in oak barrels by Fernandes Family Distillers in Trinidad.

Butterfly Cane is available as a 37.5 per cent ABV, three-year-old golden rum, while the award-winning Butterfly Cane Spiced Rum, so beloved of the international tasting panel at the Global Rum Masters, is infused with a mix of spices and vanilla to offer the perfect balance of rich deep taste and spiced warmth. At 35 per cent ABV, it has a scent of intense vanilla and toffee, with a long spicy finish: a perfect balance of deep rich taste and flavourful warmth.

The finely-tuned palates of some of the world's leading authorities recently gathered in London to blind-taste a range of rums, ranging from delicate white through rich and dark to powerful agricole, each with its own style and characteristics.

The influential experts awarded a Silver Medal to newcomer, Butterfly Cane Spiced Rum, delivering a welcome boost to a brand which, since its launch here in June 2015 has demonstrated its taste for success in the Northern Irish marketplace. Ambitious marketing has already secured orders from Dubai and the brand is about to be rolled out in GB, RoI, Spain, Germany and USA.

Celebrating the international recognition, Joan Kelly, BOTL Marketing Manager, said, "Once the underdog in the brown spirits category, a craze for cocktails and long mixed drinks has propelled Rum out of the shadows and into the spotlight. Butterfly Cane Spiced Rum and its sister brand, Butterfly Cane 3-Year-Old Rum, are ideally placed to drive that change still

Alistair Campbell from Tennent's is pictured highlighting the nutritional value of Tennent's Lager.

Photo by John James.



From March this year, shoppers will easily be able to see the calorific content on the packaging of Tennent's lager.

Tennent's is set to become the first alcohol product in the UK & Ireland to print clear nutritional information on its cans and bottles. From this month, cans of Tennent's lager will begin to appear with clear calorie information printed on the packaging.

Consumers are increasingly interested in what they are eating and drinking and now expect the display of nutritional information on the packaging of the food and drinks that they consume. The introduction of nutritional information onto cans and bottles recognises this expectation and is a further commitment by Tennent's to educate drinkers and to promote the responsible consumption of alcohol.

Tennent's Lager contains 30 kcal/100ml, which is the lowest of the main lager brands. In comparison, soft drinks like orange juice and cola contain 44kcal & 43kcal per 100ml respectively.

Tom McCusker, Managing Director of Tennent's NI explained, "As a responsible producer of alcohol and proud

owner of brands that are trusted and enjoyed by drinkers across Ireland, we wanted to further extend our commitment to promote the responsible consumption of alcohol. We are therefore introducing calorie information onto our cans and bottles to ensure customers can make an informed decision.

"There is increasing interest amongst consumers around the nutritional content of the food and drink that they consume. We feel that it is a natural next step to include calorie information on our cans and bottles to sit alongside the responsible drinking messaging and number of alcohol units already displayed. Calorie content is an easily understandable way to help people make better choices about what and how much they consume. They can see this information on the foods they eat, we therefore believe that the packaging of our beer and cider brands should carry these details too."

Tennent's is part of C&C Group plc, manufacturer of some of the UK and Ireland's leading drinks brands including Magners Cider. C&C will be rolling out nutritional information across its portfolio over the next 12 months.



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## Tennent's announce 'Red Hot' lineup

Tennent's Lager and MCD have recently confirmed that Tennent's Vital is back for 2016 with a red hot line up for Boucher Road Playing Fields on Thursday 25th August.

Taking to the main stage for what promises to be a phenomenal headline set will be Red Hot Chili Peppers joined by special guests, Fall Out Boy.

One of the most successful acts in rock history, the Red Hot Chili Peppers have sold over 60 million albums, including five multi-platinum LPs. They have six Grammy Awards to their credit, including 'Best Rock Album' for Stadium Arcadium, 'Best Rock Performance by a Duo or Group' for Dani California, 'Best Rock Song' for Scar Tissue and 'Best Hard Rock Performance With Vocal' for Give It Away ... creating for themselves a worldwide fan base that spans the generations.

The band holds the all-time record for most No.1 singles at Alternative Radio - a total of eleven singles with a combined 81 weeks at No.1. No surprise, then, when the band which came together in LA back in 1983 was inducted into the Rock and Roll Hall of Fame in 2012.

Chicago's favourite rockers, Fall Out Boy, made it big on the international stage with a run of amazing albums. Infinity On High hit the No.1 album slot in 2007 and Save Rock And Roll took the slot again in 2013. American Beauty/American Psycho was their sixth studio album, spinning off three solid chart singles: Centuries, Uma Thurman, Irresistible (featuring Demi Lovato).

Brian Beattie, Marketing Director for Tennent's NI, said, "It's fantastic to be announcing we've secured The Chili Peppers to headline Tennent's Vital 2016 - they're undoubtedly one of the biggest bands in the world with a great reputation for their amazing live shows so we're expecting big things! Fall Out Boy is a fabulous addition to the bill and we're well into negotiations to secure still more big names to make this an amazing Summer of music in Belfast.

"Tennent's Vital has earned a unique place as a highlight of Northern Ireland's music calendar and each year we have to up the ante by delivering top international plus fresh home-grown talent. You may feel that 2015 was, literally, a hard act to follow, but 2016 is already shaping up to be something special - all credit to our industry-leading partners at MCD! And there's more to come, with further announcements due over coming months."

Another mega line up has been announced for Day 2 of Tennent's Vital, with one of the biggest names in contemporary music secured to head the bill at Belfast on Friday 26th August.

Global superstar Avicii who wowed audiences with his sell-out Tennent's Vital appearance in 2013 will be back in Belfast to headline, with the phenomenal special guest Jess Glynne ... so expectations are already ramping up for a second incredible day of music at Boucher Road Playing Fields.

Recognised as one of the world's most influential dance



music artists of his generation, it was with his genre-defying debut album, 'True', that Swedish DJ Avicii cemented his place in the firmament of superstar recording artists. While still in his twenties, he already has a string of hits behind him and is today credited with having single-handedly redefined the boundaries of contemporary dance music.

Triple Brit Awards nominee Jess Glynne has also stormed the music scene, rocketing to glory with dazzling speed and impact. Armed with the biggest selling debut album of 2015, she launched into 2016 with

a brand new single 'Aint Got Far To Go', from her platinum-selling album 'I Cry When I Laugh' and things couldn't look better for the talented singer songwriter.

**Fans can get their tickets from [www.ticketmaster.ie](http://www.ticketmaster.ie) or via the 24hr Telephone hotlines: 0844 847 2455/ (ROI) 0818 719 300.**

*Tennent's Vital is an over 16s event. However, a parent aged 25 and over can take up to two under 16s to the show. Parents will be required to show age identification and sign a consent form in order to gain admission on the day. Under 16s must be accompanied by their parent at all times. Bars will operate a strict Challenge 25 policy.*

## Carrick cricketers turn pink for charity

The Chairman and Executive Committee of the N.I. Federation of Clubs are delighted to congratulate member club, Carrickfergus Cricket Club, following the announcement of a partnership with local cancer charity Pretty 'n' Pink for the 2016 season.

This was a timely announcement, as at the Federation Annual General Meeting on 12th March 2016, the Federation Chairman, John Davidson, encouraged member clubs to support local charities where and when possible to underpin the tremendous services provided to local communities.

Gillian Creevy, Chief Executive of the Cancer Fund for Children, also spoke at the AGM on behalf of all local charities, expressing thanks for the generous support provided by the registered sports and social club sector in Northern Ireland.

This association between Pretty 'n' Pink and Carrickfergus Cricket Club will see the team turn 'pink' for all their Cup matches in the upcoming season in order to raise funds for the local breast cancer charity that provides financial and other support services to patients with breast cancer and their families.

At every home match, they will also hold a variety of fundraising activities as well as taking up a collection from both players and spectators.

Commenting at the launch of their new pink kit, Club Chairman Jim Nelson said, "Carrickfergus Cricket Club is delighted to support Pretty



Pictured at the launch of their new pink kit is (back l-r): Katie Nelson, Jamie Wallace (Pretty 'n' Pink), Ryan Eagleson, Robert Smith, Noleen Lynn, Jennifer Hood (Competition Winner). (Front l-r): Alex Haggan, Michael Gilmour.  
Photo courtesy of Ian Johnston/CricketEurope

'n' Pink for 2016. So many people in Northern Ireland are dealing with the effects of this terrible illness and this is an opportunity for us to help raise much needed funds."

He added, "Our new pink kits have been very kindly sponsored by The Stove Yard and MG2 Cricket, as well as new pink helmets provided by Masuri. I'm sure our players will get some very positive comments during their matches this season!"

Noleen McErlane from Pretty 'n' Pink said, "We're delighted to partner with Carrickfergus Cricket Club for 2016 and look forward to working with all involved over the coming year. I'm sure that together, we can be very successful in helping raise both awareness, and funds to continue our vital services and

help make a difference to the lives of breast cancer patients and their families in Northern Ireland."

provided by the organisation can be found at [www.prettynpink.org](http://www.prettynpink.org)

Further information on Pretty 'n' Pink Breast Cancer Charity and the services



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# Sky Sports adds huge midweek games to Premier League run-in

Sky Sports has added five more live midweek Barclays Premier League games to its April and May schedule, bringing clubs live action throughout the week as the race for the title intensifies. Matches involving Arsenal, Manchester City, Manchester United, Liverpool and Chelsea have been added to an already packed schedule that will also see title-chasers Leicester City and Tottenham Hotspur shown five times.

Clubs with Sky Sports can bring their customers live Barclays Premier League matches across six consecutive nights in April, with seven mouth-watering ties taking place from Saturday 16 April to Thursday 21 April.

In a match that will have implications at either end of the table, Newcastle United face Manchester City at St James' Park on Tuesday 19 April, before Liverpool and Everton face off in the Merseyside derby the next evening in one of the most fiercely contested matches in the Premier League calendar. The following evening, on Thursday 21 April, Arsenal face West Bromwich Albion as the Gunners look to cement a top

four place and make a late push for the title.

Two huge midweek games have been added to Sky Sports' May schedule in the final week of the season. West Ham United face Manchester United in the final ever game at The Boleyn Ground on Tuesday 10 May, before Liverpool and Chelsea go head-to-head the following night.

David Rey, Managing Director of Sky Business, said, "With 23 exclusively live midweek and weekend Barclays Premier League matches, plus another five still to be announced, there are plenty of opportunities to keep converting football fans into Sky Sports club customers. Added to our coverage of the Sky Bet Football League Play-Offs, European Champions Cup and Challenge Cup rugby union finals, England v Sri Lanka test cricket, Masters Golf and much more, it's all set to be a busy April and May for clubs with Sky Sports."

Sky Sports will show at least three more seasons of live Premier League with the number of live games increasing from 116 to 126 a year from the 2016/17 season.



## Sky Sports Live Premier League Fixtures

April		
Liverpool v Tottenham H. Sat 2 April 5.30pm	Arsenal v West Brom. Thu 21 April 7.45pm	
Leicester City v Southampton Sun 3 April 1.30pm	Manchester City v Stoke City Sun 24 April 12pm	
Manchester Utd v Everton Sun 3 April 4pm	Sunderland v Arsenal Sun 24 April 2.05pm	
Manchester City v West Brom. Sat 9 April 5.30pm	Leicester City v Swansea City Sun 24 April 4.15pm	
Sunderland v Leicester City Sun 10 April 1.30pm	Tottenham H. v West Brom. Mon 25 April 8pm	
Tottenham H. v Manchester Utd Sun 10 April 4pm	Arsenal v Norwich City Sat 30 April 5.30pm	
Chelsea v Manchester City Sat 16 April 5.30pm	May	
Leicester City v West Ham Utd Sun 17 April 1.30pm	Manchester Utd v Leicester City Sun 1 May 1.30pm	
Arsenal v Crystal Palace Sun 17 April 4pm	Southampton v Manchester City Sun 1 May 4pm	
Stoke City v Tottenham H. Mon 18 April 8pm	Chelsea v Tottenham H. Mon 2 May 8pm	
Newcastle Utd v Manchester C. Tue 19 April 7.45pm	West Ham Utd v M'chester Utd Tue 10 May 7.45pm	
Liverpool v Everton Wed 20 April 8pm	Liverpool v Chelsea Wed 11 May 8pm	



# UGAAWA Monthly Merit Award winner

by Tony McGee

After two narrow defeats in the Allianz NFL top section, Monaghan players could be looking back and wondering 'what if' but Conor McManus is not reflecting on the past but rather looking to the future.

It certainly wasn't his fault that Monaghan lost by a point to Dublin in Croke Park last month, as he produced a star-studded display, giving the Dubs' defence headaches throughout and collecting a 12 points' haul. It just wasn't enough however for victory.

But there was some consolation for the Clontibret man as his display earned him the Quinn Building Products UGAAWA Merit award for February.

Another late defeat has since been inflicted on Monaghan by Mayo but those setbacks are in the past and there is a long road still to travel, he remarked.

Those 12 points that McManus rifled over against Dublin came from nine frees, a great percentage of which he won,

and three from play. Frees are very important in tight games and that is something that McManus appreciates. That's why he puts in a lot of extra practice.

It's not often a player from a losing side earns the monthly award but this is the second time that Conor has achieved this feat. He was also the winner for April last year, ironically after Monaghan had lost to Dublin in a close league encounter.

Conor commented, "It is very nice indeed to get an award like this early in the year as it builds one's confidence for the rest of the season. Of course, it is team results that really matter but, still, it is very nice to be awarded individually and I greatly appreciate the honour."

Conor concluded, "We have a very strong panel at present and the younger lads are working very hard. We all have to look to holding on to our jerseys and that is a good position to be in."



(L-R): Terry Fay, Quinn Building Products Area Manager, and John Martin, Chairman of the Ulster GAA Writers Association, present Conor McManus with his February Merit Award trophy. Pic by Jim Dunne

## January Merit Award winner



Conor McAliskey, Tyrone, winner of the UGAAWA January Merit Award, pictured with his parents, Sean and Bertilla. Pic: Peadar McMahon

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# February NIFWA Awards



Joshua Robinson has been named the Northern Ireland Football Writers' Association Player of the Month for February. The Crusaders defender has drawn plaudits in a number of recent displays including his side's win against their North Belfast rivals Cliftonville and in matches with in-form sides Glenavon and Warrenpoint, indeed his late sending off at Milltown was a minor blot in an otherwise impressive month.



The NI Football Writers' Association's Player of the Month for February is Crusaders defender, Joshua Robinson. He is pictured above receiving his award from BBC NI sports presenter, Stephen Watson.

Robinson, who will soon be heading to Fleetwood Town on trial, reiterated his determination for the league leaders to retain the Gibson Cup this season saying, "We're so mentally focused and pushing to win the league, it's all we want to do".

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Dungannon Swifts FC boss, Rodney McAree, is the NIFWA Manager of the Month for February.

On receiving his award he said, "We had a tough start to the month, losing against Linfield and Crusaders, but our form prior to that had been tremendous and we bounced back with a draw and four wins."

"It was a busy period, full of six-pointers but we stood up well to it."



Congratulations to Dungannon Swifts Manager, Rodney McAree, on picking up the NIFWA February Manager of the Month Award. Stephen Watson is pictured making the presentation.

McAree becomes the first Swifts manager to win the award since his father in April 2005.



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## ★ GREAT SPORTING EVENTS NO. 83

# 1984

## John Lowe's perfect game



John Lowe celebrates his perfect nine-dart finish.

John Lowe achieved the ultimate feat in darts on 13th October 1984. During the quarter-finals of the World Matchplay Championships against Keith Deller, 'Old Stoneface' managed a nine-dart finish and therefore a perfect game.

This was the first time the sport's equivalent of a hole-in-one in golf or a 147 break in snooker had ever been accomplished by any player in a televised game. After two 180s, he stepped up to the oche and hit a treble 17, a treble 18 and a double 18 to complete the momentous occasion.

As well as a healthy dose of prestige, Lowe also collected a cool £100,000 for this landmark achievement, before going on to clinch the tournament itself by beating Cliff Lazarenko in the final.

Despite the fact that the perfect game has since been achieved again on television, and although John Lowe went on to win a record 15 World Open titles in his career, it is his nine-dart finish for which he is most fondly remembered as one of the all-time greats.

## Super Seve wins The Open

The 1984 British Open is remembered less for its golf than for the celebration of Spaniard Seve Ballesteros, who won his second Open title. Going into the final round at St Andrews, defending champion Tom Watson had a share of the lead with Australian



Seve Ballesteros 'The People's Champion' punches the air to celebrate winning The Open.

Ian Baker-Finch, with Ballesteros and Bernhard Langer a shot behind.

After Baker-Finch hit the water early on, the final day came down to a battle between Ballesteros and Watson - who was going for his sixth Open victory. The day's play reached a climax when Watson reached the seventeenth while Ballesteros was playing the last. The American's second shot drifted wide of the green and landed on the road, ruining his chances of making par and keeping up with Ballesteros. Meanwhile, as Watson was finishing up on 17, Ballesteros holed a 4.6m (15ft) putt on the eighteenth to move clear into the lead. Watson needed to eagle the eighteenth and, after his second shot failed to get close to the hole, Ballesteros, the people's champion, was off celebrating.

The iconic image of the triumphant Ballesteros has been rubber-stamped in the competition's history and is still used today as Ballesteros's trademark for his clothing company.

'I look into their eyes, shake their hand, pat their back, and wish them luck, but I am thinking, 'I'm going to bury you.' Seve Ballesteros

## Also this year...

**Football** - Liverpool defeated A.S. Roma to win the European Cup on penalties (4-2) when the match was tied 1-1 after extra time.

**Horse Racing** - Hallo Dandy, ridden by Welsh jockey Neale Doughty won the Grand National. By the 26th fence Hallo Dandy and last year's runner-up, Greasepaint, were contesting the lead, which Hallo Dandy took at the second-last, securing victory by a distance of four lengths.

**Rugby** - Scotland won the Five Nations Championship in glorious style, completing the Grand Slam by defeating England 13-7 in their final game.

Log off.  
Lime in.

