

# NORTHERN IRELAND NEWSLETTER

OCTOBER 2008



**NFRN**

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## **NFRN Legal**

A free member legal insurance helpline available 24 hours a day

**0870 264 6949**

## **NFRN Helpline**

Dedicated free member call centre to assist you with all queries

**0845 601 5818**

## **NFRN Direct**

Exclusive membership buying group, with central invoicing system.

**0191 512 1281**

## **NFRN Mutual**

Providing members with shop and household cover tailored to the needs of news agent

**08000 664988**

## **Home link**

Home News Delivery initiative developed to help news retailers grow their HND business

**0870 160 8552**

## **New National Minimum Wage rates from 1 October 2008**

The rates from 1 October 2008 will be:

- adults (which means people aged 22 and over), £5.73 an hour
- workers aged 18-21, £4.77 an hour - the 'development rate'
- young people (those older than school leaving age and younger than 18; you're under school leaving age until the end of summer term of the school year in which you turn 16), £3.53 an hour

### **THE FACTS CONCERNING TODAY'S NEWSPAPER AND MAGAZINE COVER PRICES**

#### **FACT ONE**

Today, a combination of fixed cover prices, publisher-determined margins, increased retailer operating costs and, especially, ever-escalating wholesaler-imposed carriage charges, means that average small retail newsagents with a weekly news account of £350, or less, are operating at a loss. Small retailers' competitiveness and future survival is under threat as a result of being forced to premium price non-price marked, non-news goods to survive. Already many thousands have gone to the wall and many more are on the brink.

#### **FACT TWO**

The printed cover price on newspapers and magazines is a Recommended Retail Price (RRP). Whilst the law allows Maximum Retail Pricing, this restriction is not allowed if the ultimate selling price denies retailers the opportunity to make a reasonable profit. An RRP means that today, anyone, including the major supermarkets, can individually decide to sell newspapers and magazines either at a discounted price, or at a price higher than the RRP.

#### **FACT THREE**

There is no desire seek the removal of cover prices. Many newsagents do not wish cover prices to be removed and this is fully understood. Equally, newsagents are not being encouraged to increase the price of newspapers and magazines. Retailers are merely being reminded that, with a Recommended Retail Price (RRP), they have ALWAYS had the individual freedom to determine their own ultimate selling price, which may be above, below or at the printed RRP. Publishers and wholesalers are encouraged to engage in meaningful talks concerning the impact of financial decisions by the supply chain on retail newsagents, specifically a freeze and reduction of carriage charges in the future.

# BACKGROUND MUSIC - SHOPS & STORES



**A PPL Tariff for the public use of Sound Recordings. Effective from: 1-Jan-2008 to: 31-Dec-2008**

The public performance of sound recordings in the UK is an act restricted by copyright and requires a licence from PPL. This document sets out PPL's licensing tariff for the public performance of sound recordings in **shops and stores**. This tariff applies to all shops and stores, whether they are housed in stand-alone premises or form part of larger establishments such as, for example, hotels. Examples include shops, boutiques, showrooms, wholesale warehouses, superstores, garage forecourts, furniture/carpet showrooms, supermarkets, department stores & the common parts/concourse areas of shopping centres & precincts etc.

This tariff is subject to PPL's "General Terms and Conditions for Public Performance Licences", a copy of which can be read on the PPL website or obtained by contacting PPL (see the contact details set out at the end of this document).

This tariff applies to the public performance of sound recordings in your shop or store as "background music". There are a number of specific types of public performance that PPL does not class as "background music" and which are licensed under separate, dedicated tariffs (such as specially featured entertainment, jukeboxes, listening posts and touch-screen kiosks, fashion shows and telephone "on hold" music). However, aside from these few exceptions, all other types of public performance are classed as "background music".

The licence fees payable under this tariff are set out in the table below:

NOTES:

| Size of Premises ( <a href="#">Audible Area</a> in metres squared (m <sup>2</sup> )) | Licence Fee per annum (exclusive of VAT) |
|--------------------------------------------------------------------------------------|------------------------------------------|
| Up to 100                                                                            | £110.66                                  |
| 101 to 200                                                                           | £165.99                                  |
| 201 to 300                                                                           | £221.32                                  |
| 301 to 500                                                                           | £276.65                                  |
| 501 to 750                                                                           | £331.98                                  |
| 751 to 1000                                                                          | £387.31                                  |
| 1001 to 1250                                                                         | £442.64                                  |
| 1251 to 1500                                                                         | £497.97                                  |
| 1501 to 1750                                                                         | £553.30                                  |
| 1751 to 2000                                                                         | £608.63                                  |
| 2001 to 2500                                                                         | £663.96                                  |
| 2501 to 3000                                                                         | £719.29                                  |
| 3001 to 3500                                                                         | £774.62                                  |
| 3501 to 4000                                                                         | £829.95                                  |
| 4001 to 4500                                                                         | £885.28                                  |
| 4501 to 5000                                                                         | £940.61                                  |
| 5001 to 6000                                                                         | £995.94                                  |
| 6001 to 7000                                                                         | £1051.27                                 |
| 7001 to 8000                                                                         | £1106.60                                 |
| Every additional 1 to 1000 (above 10000)                                             | £55.33                                   |

The meaning of "Audible Area" is set out in FAQ 7 below.

If you need to convert a measurement in square feet into square metres, multiply the square footage by 0.093.

If you have been publicly performing sound recordings without first obtaining or renewing your licence, the above fees will be subject to a 50% surcharge.

This is designed to act as a deterrent to unlicensed public performances of sound recordings, and to compensate PPL for the considerable administrative effort expended in detecting and taking action in respect of these infringements of copyright.

If your shop or store has an audible area of 50m<sup>2</sup> or less and you only use "traditional" radio or television broadcasts, you may be eligible for a concessionary licence fee of 50% of the lowest value Licence Fee per annum.

## Frequently Asked Questions

### **1 How do I get a PPL public performance licence?**

You can apply for a licence through the PPL website or by contacting PPL.

Your PPL public performance licence will not be granted unless and until you have paid the necessary licence fees in full. Until such time, any public performance of sound recordings at your premises will be unlicensed and will therefore constitute an infringement of copyright.



### **2 How long does a PPL public performance licence last?**

PPL public performance licences usually cover twelve-month periods known as "licensing years".

### **3 Where does my PPL public performance licence fee go?**

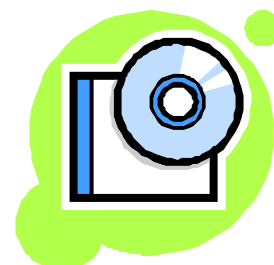
PPL is a not-for-profit company, limited by guarantee. After the deduction of our running costs, they distribute the rest of the money they receive from licensing the public performance of sound recordings to the record companies, artists, session musicians and backing singers who create those recordings.

### **4 Do I need separate PPL and PRS licences?**

If you are playing sound recordings in public you will need a public performance licence from PPL, even if you have already acquired a PRS licence. PPL represents record companies and performers, whilst the PRS represents (among others) writers, authors and publishers.

### **5 What happens if I don't obtain a PPL public performance licence before I start publicly performing sound recordings?**

If you obtain your PPL public performance licence after you have already started to publicly perform sound recordings, you will need to pay for a licence that retrospectively covers the period since your public performance began, as well as a licence going forwards.



### **6 Does it make any difference if my shop or store shares its premises with another establishment?**

This tariff applies to shops and stores irrespective of whether they are housed in stand-alone premises or are contained within larger establishments such as department stores or hotels. For example, the licence fee for the public performance of sound recordings in a shop will be the same whether the shop occupies its own premises or is a shop forming part of a department store.

However, if your shop or store is contained within a larger establishment, and the sound recordings audible in your shop or store are being publicly performed by the proprietor of that larger establishment (i.e. if you have no control over them), then it is the proprietor of the larger establishment who should obtain a licence from PPL.

### **7 What does "Audible Area" mean?**

"Audible Area" refers to the total area, measured in square metres, in which the publicly performed sound recordings can be heard on your premises (whether indoors or outdoors). For the avoidance of doubt, this is not confined to the area to which customers have access and can include the area behind any serving counter.

If there are a number of storeys, floors or levels within your premises (including mezzanine floors or balcony areas), the audible area of each storey, floor or level should be included for the purposes of measuring the total audible area of your premises.

If you have more than one premises, you should not add together the audible area of each of them – instead, you should calculate the licence fees for each premises separately.

### **8 Does it make any difference which delivery system I use to publicly perform sound recordings?**

A PPL public performance licence entitles you to publicly perform sound recordings by whatever means you like

### **9 Does it matter how much music I play?**

No. Your PPL licence will allow you to publicly perform sound recordings as background music at your premises as often as you want during the one-year period covered by the licence.

### **10 Does it matter where I get my sound recordings from?**

Yes. Although they are "delivery system neutral", PPL public performance licences only cover the public performance of lawfully obtained sound recordings. In other words, you are not entitled to (and must not) publicly perform pirated CDs, illegal downloads, or any other unlawful form of sound recording.

### **11 I run a charity shop – do I still need a PPL public performance licence?**

There is an exception with particular conditions that may exempt you from the requirement to have a PPL public performance licence. If your business is not run for profit please contact PPL for further information.

### **12 I run a TV/hi-fi repair shop – do I still need a PPL public performance licence?**

There is an exception with particular conditions that may exempt you from the requirement to have a PPL public performance licence. If your business frequently repairs television or radio equipment or demonstrates such equipment either for sale or to show that repairs have been carried out please contact PPL for further information.

**13 Where can I find answers to any other questions I may have?** Answers to other frequently asked questions can be found on the PPL website. If you still have any questions or cannot access the website, you can email the licensing department of PPL at [ppo.info@ppluk.com](mailto:ppo.info@ppluk.com). Alternatively you can contact them by telephone during normal working hours (020 7534 1000) or fax (020 7534 1111).

## **Payzone Utility Terms – NFRN secure preferential deal**

Please be advised that Payzone have now introduced new retailer payment terms on utility transactions. This replaces the 0.5% to 1% commission system which was capped at 13p. They have written to all their retailers informing them of this change.

I'm delighted to report that the NFRN have secured a unique benefit under these new terms for members on the NFRN/Payzone scheme.

### **The new Utility terms**

5p for all pre-pay electricity, 6p for all pre-pay gas, 10p for all bar coded bills and budget payments, 15p for all housing payments (rents & council tax bills) for at least 1 year.

**Non NFRN members receive 10p per transaction and a further 5p for this transaction sometime later if they produce an uplift in the volume of these transactions. (i.e. promote the service to customers). This is only available to them for 6 months.**

You'll notice that at the upper and lower ends member commissions have been enhanced.

For example a £2 pre-pay gas payment would have earned the retailer 1/2p under the old system and now gives a fairer minimum payment.

The average earning for bar coded bills was 7p – meaning on average payment for these transactions is now higher.

These enhanced NFRN terms will be effective as of 1<sup>st</sup> September and all members will be written to by the National President regarding this, (copy letter below).

### **Product information**

Payzone terminals offer over 650 'housing association' and 'local authority' rent and housing payment services including Birmingham City Council, Trafford Metropolitan Council and thirteen of the largest London Boroughs. This year Payzone have added a further 50 councils.

The NFRN and Payzone aim to encourage members as much as possible to promote the housing payment service to customers in order for them to gain maximum benefit from this preferential deal.

Dear Member

Following Payzone's recent letter to you announcing their new payment structure for bill payments and utilities we are delighted to inform you that the NFRN has negotiated a further enhancement to these terms, which is solely available to members of the NFRN on the NFRN/Payzone scheme.

NFRN members will receive 15pa on all housing payments (rents & council tax bills) for a period of at least 1 year from 1<sup>st</sup> September. In a further enhancement of their normal terms Payzone have agreed that all housing and council tax bills will qualify for this 15p rate.

To enable to gain maximum benefit from this preferential deal all we ask is that you support Payzone's drive on building consumer's awareness of this service by asking your customers...

*"Do you want to make a rent or council payment?"*

Over 650 types of local authority and housing association payments are available through a Payzone terminal with over 50 new ones being added this year alone.

If you have any questions relating to this or any other Payzone payment service please contact Payzone directly.

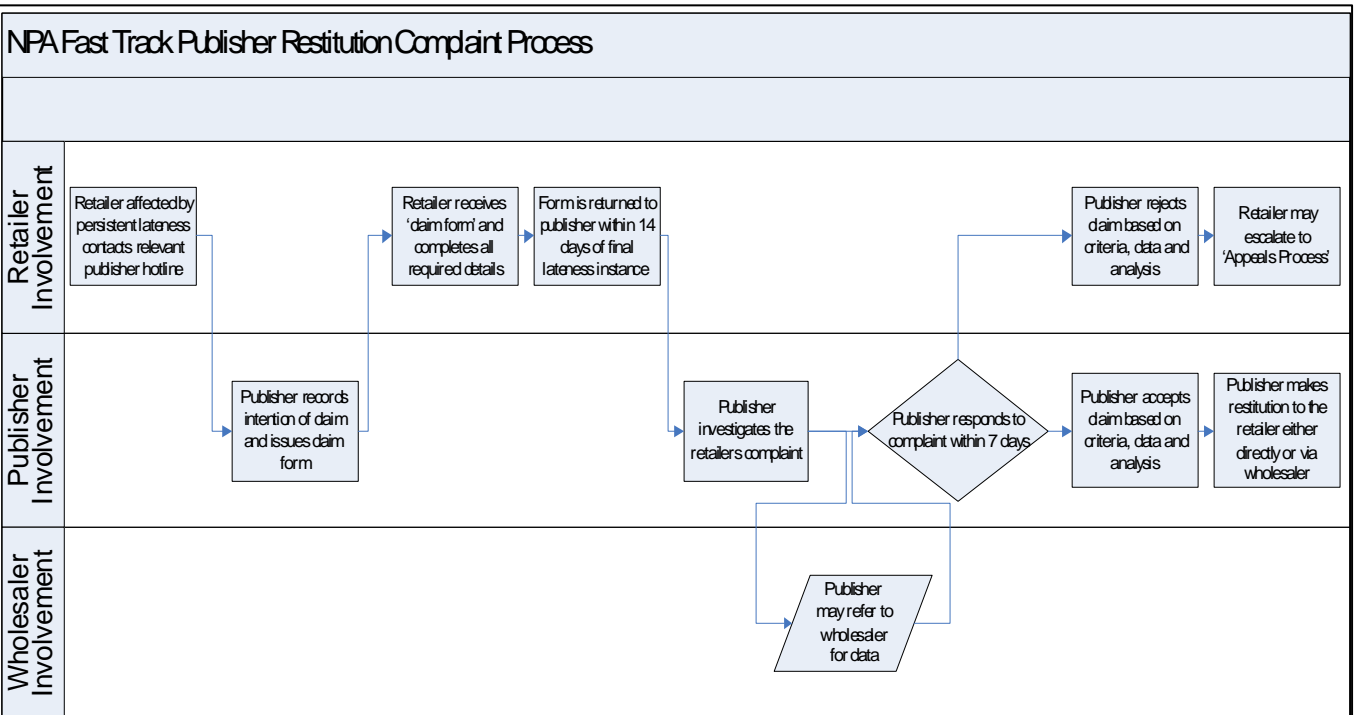
I am delighted that your Federation has again been able to secure a unique benefit for you.

Yours Sincerely  
Naresh Purohit  
NFRN National President

## NPA Fast Track Restitution - Guidelines

| <u>Timelines</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>Restitution Criteria/Details Required to Support Claim</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <u>Restitution Criteria</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The retailer must have sent the completed claim form to the relevant publisher within 14 days of the final instance of lateness recorded in the claim.</p> <p>The publisher has 7 days to respond to the claim with a decision.</p> <p>The publisher may take a further 7 days to respond to the claim but must advise the retailer of this and the reason for the delay.</p> <p style="text-align: center;"><b><u>Force Majeure</u></b></p> <p>Restitution will not be awarded by a publisher in respect of the consequences of any act or omission on their part if such act or omission is due to any cause beyond the publisher's reasonable control.</p> | <p>Title involved in the claim</p> <p>Issue dates relevant to the claim</p> <p>Actual sales detail for the issue affected by lateness</p> <p>Actual sales for the most recent comparative issue unaffected by lateness or promotion.</p> <p>Actual sales for market comparison titles for the issue affected by lateness</p> <p>Actual sales for market comparison titles for the most recent comparative issue unaffected by lateness or promotion.</p> <p>Arrival time at retailer</p> <p>Retailer RDT or SDT</p> | <p>Retailers can claim for proven financial losses due to persistent late delivery.</p> <p>Sales loss effect will be calculated as net loss in sale</p> <p>Persistent lateness is defined as:<br/>                     Mon – Sat issues: 3 instances in a two week period<br/>                     Sunday issues: 3 instances in a six week period.</p> <p>Late Issues can only be used in one claim</p> <p>Maximum limit for any claim is set at £30.</p> <p>Maximum total claim per issue is set at £3000 per instance, for all retailers</p> <p>Claims must be publisher title specific</p> |

| <u>Market Segments</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Market segments are defined as;</b></p> <p><b>DAILY POPULAR :</b> The Sun, Daily Mirror, Daily Mail, Daily Star, Daily Express, Daily Record</p> <p><b>SUNDAY POPULAR :</b> News of the World, Sunday Mirror, The People, The Mail on Sunday, Sunday Express, Daily Star Sunday, Sunday Mail</p> <p><b>DAILY QUALITY :</b> The Times, The Daily Telegraph, The Guardian, Financial Times, The Independent.</p> <p><b>SUNDAY QUALITY :</b> The Sunday Times, The Observer, Sunday Telegraph, The Independent on Sunday.</p> |



# The Employment of Children Regulations (Northern Ireland) 1996

## Conditions of employment for all children

(1) No child shall be employed for a period more than one hour before the commencement of school hours on any day on which he is required to attend school, and such period shall end not later than half an hour before the school he is required to attend is due to open on that day.

(2) No child shall be employed for more than two hours on a Sunday.

(3) A child engaged in employment shall be allowed an uninterrupted period of two weeks holiday during the period between 1st July and 31st August (both dates inclusive).

(4) No child shall be employed in any other occupation on the day of, days of, or day following a performance to which Article 137 of the Order applies.

(5) No child shall be employed in any occupation out of doors unless the employer ensures that the child is suitably shod and suitably clad for protection against the weather.

(6) No child shall be employed without the written consent of his parent.



## Conditions of employment for children under the age of 15 years

A child under the age of 15 years—

(a) shall not be employed for more than five hours on a Saturday or week-day other than a day on which he is required to attend school;

(b) shall not be employed for more than twenty-seven hours in any week;

(c) shall be allowed a continuous interval for rest of not less than three hours between seven o'clock in the morning and seven o'clock in the evening on any day;

(d) subject to paragraph

(e), shall be allowed at least one hour for meals and rest following any continuous employment for a period of three hours; shall be allowed at least one hour for meals and rest following any continuous employment for a period of four hours on a Saturday.

## Conditions of employment for children over the age of 15 years

A child aged 15 or over—

(a) shall not be employed for more than seven hours on a Saturday or week-day other than a day on which he is required to attend school;

(b) shall not be employed for more than thirty-seven hours in any week;

(c) shall be allowed at least one hour for meals and rest following any continuous employment for a period of four hours.

# The Employment of Children Regulations (Northern Ireland) 1996

## Employment cards

(1) Each employer of any child shall, not less than seven days prior to employing the child, give notice to the appropriate board on the appropriate application form and such notice shall contain the following particulars— (a) the age of the child;

- (b) the full name and address of the child and of his employer;
- (c) the proposed occupation in which the child is to be employed;
- (d) the proposed date of commencement of the employment;
- (e) the place of such employment;
- (f) the hours of such employment;
- (g) the days, not exceeding six, on which the child is to be employed each week.

(2) No child shall be employed unless a certificate from a medical practitioner to the effect that the employment of the child in that proposed occupation will not be likely to be injurious to his life, limb, health or education, has been produced to the appropriate board.

(3) A certificate issued under this regulation shall be valid only for employment in the occupation referred to in the certificate.

(4) Subject to a satisfactory medical report and provided no other grounds for objection are evident the appropriate board shall issue to each child in respect of whom notification under paragraph (1) has been received, a card, and thereafter such card shall be held by the employer during the currency of the child's employment and shall be produced for inspection at the request of any authorised officer on production of his credentials.

(5) The board shall cause to be entered on the employment card the name and address and date of birth of the child, the occupation in which and the times specified by the employer between which the employment is permitted; and the times so entered shall be such as are permitted by these Regulations and the Order and may be altered within the scope thereof by the board from time to time on the application of the employer, and the board shall issue a new employment card if the arrangements of employment change.

(6) No child for whom an employment card has been issued in accordance with the provisions of these Regulations shall be employed except in the occupations and within the times entered thereon by the board.

(7) An employer of a child for whom an employment card has been issued shall permit an authorised officer to enter and inspect any premises or other place on which the child is employed and shall permit the officer to interrogate the child if so requested.

## Return of employment cards

The employment card issued in respect of any child shall be returned to the board—

- (a) on the child ceasing to be employed in the occupation in respect of which it was issued;
- (b) on the child attaining the upper limit of compulsory school age;
- (c) if required by the board by reason of breach of conditions or the employment becoming likely to be injurious to his life, limb, health or education;
- (d) if the child's parent withdraws his consent to his continued employment in that occupation;
- (e) if the child is found guilty of any offence, or for any other reason which, in the opinion of the board, would render him unsuitable for employment.

## Employment cards issued under Byelaws

An employment card issued in accordance with the byelaws with respect to the employment of children made by the North Eastern Education and Library Board on 6th November 1973, the South Eastern Education and Library Board on 7th February 1974, the Belfast Education and Library Board on 25th February 1974, the Southern Education and Library Board on 19th September 1974 or the Western Education and Library Board on 15th January 1975 shall be deemed to be a card issued under regulation 6(4).

**Sealed with the Official Seal of the Department of Health and Social Services on 8th October 1996.**



## Check your water charges.

- Water Service will continue to extend metering more widely throughout the non-domestic sector so there are many higher usage customers, currently unmeasured, who will receive a metered bill over the next number of years. Where meters are difficult to install for these customers an assessed charge will be applied.
- For the remaining unmeasured customers charges will be made up of a standing charge of £50 - £55 plus a variable charge based on the NAV of the premises. Charges will be capped at a maximum combined charge of £513 in 2007/08 (full charge cap £1,540) Typical bills are likely to be as follows
- The lowest combined bills will be up to £50 in 2007/08 for properties with NAVs up to around £1,000 – for example, small first and second floor offices, small 'corner' shops and small stores or workshops.
- Typical High Street shops in the provincial towns (e.g. newsagents, chemists, estate agent, jewellers, boutiques) which have a typical NAV of 5,000 – 6,000 could expect a combined water and sewerage bill of around £115 in 2007/08.
- Community / Orange / Hibernian Halls with a typical NAV of around £3,000 – 4,000 could expect a combined water and sewerage bill of around £90 in 2007/08.

The capped charge of £513 per annum (£257 each for water and sewerage) would be applied to the unmeasured customers with NAVs above £40,000 although many of these properties will be metered over the coming year.

You should check what you are being charged for water usage on you business rates bill. If you feel that the amount that you are being charged is excessive for your business you should challenge that amount by contacting the Department of the Environment. Contact details will appear on the rates bill.

You could ask for a water meter to be installed to record exact water used.

## FOR SALE

**Single nozzle hopper feed Taylor whipped ice cream machine, good condition, price negotiable.**

**Leventi Holland oven on stand with trays good condition, price negotiable.**

**Contact Linda Gormley on 02871337954**

## Northern Ireland Newstrade Golf Society 2008 dates for your diary.

| Date          | Venue       | Tee Time  |
|---------------|-------------|-----------|
| 13th October  | Killymoon   | 11.00 Hrs |
| 10th November | Portstewart | 11.00 Hrs |
| 10th December | Clandeboye  | 10.30 Hrs |



### Results

#### Donaghadee 23rd June: Sponsored by The Belfast Telegraph

1st: Raymond Farrell: Lurgan, current NFRN District President

2nd Edd Boyle: Belfast

3rd Herbie Anderson: Belfast

#### Shandon 28th July: Sponsored by Newstrade Golf

1st Victor Sheridan: Lisburn

2nd Mickey McGurk: Armagh

3rd Fred Ward: Portadown

#### Dunmurry Captain's Day 27th August: Sponsored by Charlie Clark

#### N.I. Distributor of H.B. Ice Cream

Rearranged due to the atrocious weather conditions earlier in the month, there was a very good turnout for the highlight of the Newstrade Golf society Captains Day at Dunmurry Golf Club with many competitors wives joining them for the dinner and prize presentation in the evening.

1st Mickey McGurk: Armagh

2nd Jack Reid: Dromore, a former NFRN District President

3rd Brendan Conway: Cookstown, current NFRN District Vice President

4th Victor Sheridan: Lisburn

5th Tony Cassidy: Dunmurry

6th Bill Loughlin: Banbridge

Special thanks to Mrs Clark who presented the very generous prizes on behalf of her husband Charlie.