



ABOUT US



At JBW Accountants UC, we assist SME and start-up businesses, in the step-by-step process of developing your ambition for your business, be it achieving profitable growth, diversifying into new areas or planning a retirement / exit strategy.

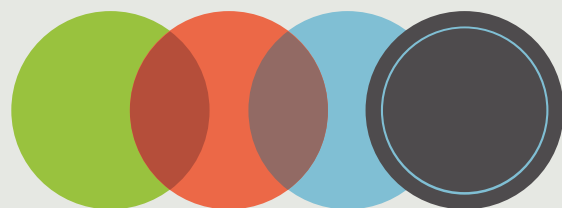


From our experience as accountants, auditors, taxation consultants and business management experts, we have developed methodologies to help you make the right decisions for the future of your business. We specialise in the provision of professional solutions for family businesses and SME's in the South East region. Why not visit our [website](#) to see how we may be of assistance to you.

Disclaimer

This publication is for general guidance on matters of interest only and does not constitute professional advice. No decisions, particularly investment decisions, should be taken on the basis of information supplied in the publication. JBW Accountants UC will not be responsible for any loss or damage on the part of users arising from use of the information contained herein.

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Employment (Miscellaneous Provisions) Act, 2018 (continued)

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provisions for employees who invoke their rights under the Act.

Statement of core terms of employment within five days

Currently, an employer must provide a written statement to an employee outlining 15 core terms of employment within two months of the commencement of the employee's employment. Failure to do so can result in an employee bringing a claim before the WRC. If successful, an employee can be awarded compensation of such amount as is just and equitable having regard to all of the circumstances, but not exceeding four weeks' remuneration.

The Act requires that an employer must now notify an employee of five core terms of employment within five days (as distinct from five business days) from the commencement of employment. The five core terms to be furnished are: -

- The full name of the employer and employee;
- The address of the employer within the State or the registered office of the employer;
- If the contract is temporary the expected duration of the contract and if the contract is a fixed term contract the date the contract is due to expire;
- The rate or method of calculation of pay and the pay reference period; and
- The number of hours which the employee is normally expected to work per day and per week.

If an employee has been in employment for one month and has not been provided with a statement of the core terms, the employee may bring a claim to the Workplace Relations Commission. If found guilty of failing to provide the statement of core terms, an employer will be guilty of an offence and may be liable to a fine up to €5,000 or a term of imprisonment not exceeding 12 months.

Banded hours

The Act provides employees with a statutory entitlement to a banded hours contract where their contract of employment does not reflect the hours they actually worked in the past 12 months. The Act includes eight different bands of hours ranging from 3-6 hours per week to 36 plus hours per week. Once an employee requests a banded hours contract in writing the employee must be placed on the banded hours contract within one month. The employer is not required to put a banded hours contract in place if no evidence has been provided to support the claim in relation to the hours worked, there has been a significant adverse change to the business or where the hours worked by the employee in the past 12 month was as a result of a temporary situation which no longer exists.

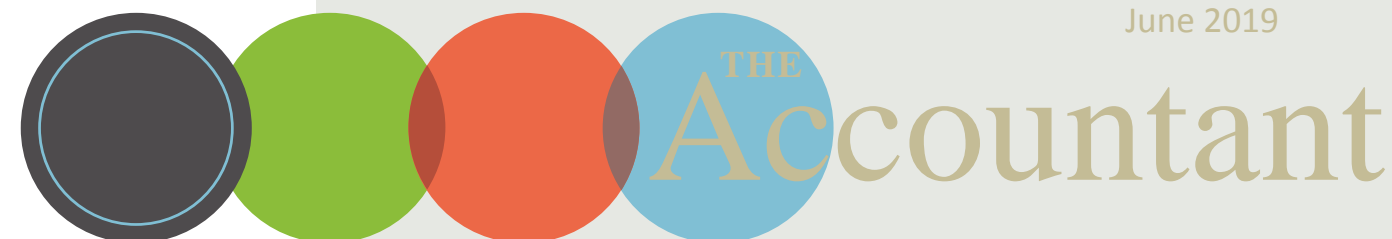
It is therefore important to review contracts of employment and ensure that any employees who regularly work in excess of their contracted hours are provided with a contract that accurately reflects their working arrangement.

A quarterly newsletter filled with practical business information and strategic analysis to help drive growth and meet company objectives.



SMOOTH SAILING
THROUGH STRATEGIC
BUSINESS DECISIONS

June 2019



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Employment (Miscellaneous Provisions) Act, 2018

The Employment (Miscellaneous Provisions) Act, 2018 came into effect on 4 March 2019. The Act impacts on all employers – one of the provisions is a requirement to issue core terms within **FIVE** days of an employee starting work. However, the Act has an even bigger impact in sectors where casual or atypical contracts are more common.

The Act brings with it some important and complex changes to the law, including minimum hourly payments where work is promised but not provided to employees and the need to offer guaranteed 'banded hours' to those who regularly work more than their contracted hours.

The Act brings some strong penalties for employers who fall foul of the law.

Summary of key changes to the law under the Act

- Employers are required to provide new employees with a written statement of core terms within five days of starting employment, with the remaining terms to be provided within two months of commencement – this is a significant change to the current situation;
- Zero-hour contracts are prohibited except in very limited circumstances;
- A new concept of 'banded hours' is introduced which protects employees who regularly work more than their contracted hours;
- There is a minimum payment for employees who are called into work but are sent home without working (calculated at 3 times the National Minimum Wage);
- There are strong anti-penalisation

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In a recent PwC / CIF Survey the likely rising cost of raw materials (80%), followed closely by a loss of confidence within the domestic market (40%), are seen as the biggest concerns amongst the construction sector. 45% of respondents say that their supply chain will be impacted and 37% have no customs experience. 25% of respondents are concerned about the restrictions on the free movement of people to and from the UK.



PAYE MODERNISATION UPDATE - ISSUES

The modernised system of real-time PAYE reporting came into operation on 1 January 2019. By the end of April some 161,000 employers have submitted over 2 million payroll submissions in respect of 2.6 million employees. A new online service will be available shortly which will allow all employees to view their payroll information as submitted to Revenue by their employers. This service will be available through the myAccount facility.

The experience of the first four months has highlighted some recurring issues with payroll submissions, including:

- Employers mistakenly sending the payroll data to Revenue more than once
- Employers incorrectly creating duplicate employments for the same employee
- Parts of payroll submissions, failing the validation process. In such circumstances, the deductions for any invalid payslips are not included in the employer's Monthly Statement
- Employers ceasing employments in error

- Employers failing to apply the most up to date RPN when running payroll
- Employees being taxed on the emergency tax basis where an RPN is available
- 'Gross Pay' shown as less than 'Pay for Income Tax' and/or 'Pay for USC'
- USC deducted where the employee is USC exempt
- Employers paying their tax liability twice in error e.g. by setting up both a ROS Debit Instruction and Variable Direct Debit for the same payment period

Where errors arise employers should immediately rectify them. Early action also reduces the possibility of a Revenue intervention.

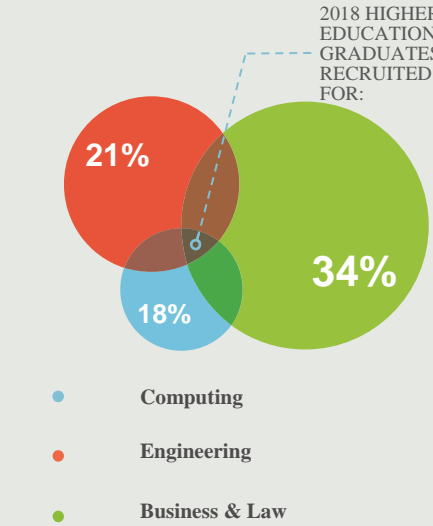
Revenue have stated they will continue to assist any employer who is experiencing genuine difficulty in complying with the new PAYE requirements. However, employers who fail to engage with Revenue or who persistently breach the PAYE Regulations are liable to a €4,000 penalty per offence under section 987 of the Taxes Consolidation Act 1997.

Common Travel Area to be retained

Post-Brexit, including in the event of a no-deal Brexit, Irish and British citizens will continue to enjoy the right to travel, live, and work in the UK and Ireland in the same manner

as before. This is because of a long-standing arrangement known as the Common Travel Area.

The Common Travel Area pre-dates Irish and UK membership of the EU and is not dependent on it. Both Governments have committed to maintaining the CTA in all circumstances. This means that no



NATIONAL EMPLOYER SURVEY

The National Employer Survey for 2018 shows that about three-quarters of all employers in Ireland have recruited any type of staff in the last 24 months. Incidence of recruitment is noticeably higher among employers with 10 or more employees (89%), with recruitment also being above average among services sector employers (76%) and Dublin-based employers (79%).

About one-third of employers hiring HE graduates from within Ireland hired business and law graduates, with 20% hiring engineering graduates, 18% hiring computing graduates and 18% hiring humanities and arts graduates.

EORI REGISTRATION

To move goods into or out of the EU you need an EORI number. Therefore, post Brexit, Irish and UK traders who trade with each other will need to apply for an EORI number. This number is used to identify businesses and collect duty on goods. You can register for an EORI number on Revenue's EORI online registration service through My Account or ROS. A short eLearning tool for EORI is available to download from the European Commission website.

PARENTAL LEAVE

The Parental Leave (Amendment) Bill 2019 will allow for the introduction of an extra four weeks parental leave from September 2019 and an additional four weeks from September 2020. The legislation increases the unpaid parental leave from 18 weeks to 26 weeks. The qualifying age of children has also been extended from 8 to 12 for the parental leave, which matches EU proposals. It will mean that parents who have already taken some or all of the current 18 weeks' leave and who have children up to 12 years of age will be eligible to take the extra eight weeks.



BIK on vehicles - updated guide

The contents of Tax and Duty Manual Part 05-04-04 - 'Benefit in Kind - Private use of Company Vans' - has been updated to incorporate into this manual the applicable tax treatment of employer provided cars and vans.

Detailed guidance material is included regarding the Finance Act 2018 changes in relation to the tax treatment of electric vehicles.

New material and examples are included arising from technical queries received through the Revenue Technical Services (RTS).



Central Register of Beneficial Ownership

The Central Register of Beneficial Ownership of Companies comes into effect from 22 June 2019. **Filing of beneficial ownership data with the RBO must be done through an on-line portal.** The RBO website is designed to give companies as much information as possible to assist you in meeting their filing requirements. There is a comprehensive Frequently Asked Questions (FAQs) and search facility on this website (<https://rbo.gov.ie/>) which will help to guide through your beneficial ownership filing requirements.

With effect from **22 June 2019** there will be five months for companies to file their RBO data without being in breach of their statutory duty to file. The office of the Registrar of Beneficial Ownership (RBO) will contact each company about their filing obligations in the coming weeks.

1

START YOUR OWN BUSINESS GUIDE
CPA Ireland has launched a Start Your Own Business Guide. Download a copy [here](#).

2

Inflation on the rise
Prices on average, as measured by the CPI, were 1.7% higher in April 2019 compared with April 2018. Consumer Prices in April 2019, as measured by the CPI, increased by 0.4% in the month. During April of last year, prices fell by 0.2% in the month.

3

LIVE REGISTER IN DECLINE
On a seasonally adjusted basis the Live Register total recorded a monthly decrease of 0.4% in April 2019, bringing the seasonally adjusted total to 5.4%.

This is the lowest number recorded in the seasonally adjusted series since February 2008. The number of long term claimants on the Live Register in April 2019 decreased 17,769 (-19.2%) .

4

RESIDENTIAL PRICE RECOVERY
Residential property prices increased by 4.3% nationally in the year to February 2019. This compares with an increase of 5.2% in the year to January and an increase of 12.5% in the twelve months to February 2018.

Residential property prices in Ireland excluding Dublin were 7.5% higher in the year to February 2019 with house prices up by 7.0% and apartments by 14.7%.

Overall, the national index is 18.8% lower than its highest level in 2007, while residential property prices excluding Dublin properties are 22.7% lower than their May 2007 peak.

Property prices nationally have increased by 81.3% from their trough in early 2013.