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## Pre-legislative scrutiny to start on Tobacco Licensing and Vaping Controls Bill

The CSNA notes the intention of the Minister for Health Stephen Donnelly to commence the pre-legislative scrutiny of the long-delayed bill on tobacco licensing and vaping controls.

In response to a parliamentary question (PQ) on lung screening, the Minister told Deputy Cathal Crowe that the bill will provide for the licensing of retailers, outlaw self-service vending machines and set age controls for those selling tobacco products in addition to putting a series of control measures in place for e-cigarettes and vaping products.

The association expects to be invited to provide oral testimony to our lengthy written submission in which we advocate a number of amendments to the bill, particularly in the area of annual fees, the role of the Department of Health and penalties.



The CSNA will advocate for a number of changes to be made to the Tobacco Licensing and Vaping Controls Bill

## Lottery agrees to pay “next tier” seller’s bonus for capped period

Following discussions between Premier Lotteries Ireland (PLI) and the CSNA regarding the provision of a seller’s prize to agents, we are delighted to inform members that it was been agreed that any agent that sells the winning ticket for the second-tier prize will receive a seller’s prize if the €19m capped jackpot has not been won. The Lottery company has agreed to make a payment of €5,000 to those agents and has also agreed to reward retrospectively the sellers of the draw on Saturday, 23 October,



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both of whom are Dublin-based. There are a further two agent beneficiaries following the draw on Wednesday, 27 October.

As members will be aware, the CSNA negotiated the seller’s prize concept at the commencement of the Lotto, ensured it was extended to apply to Euromillions and were also the primary negotiators on the retention of the 6% Agent’s Commission with the Department of Public Expenditure at the time of the sale of the 20-year licence.

## CSNA expresses concern about tobacco pricing and Budgets



The CSNA believes that retailers should be the only grouping that determines the retail price of cigarettes in their stores

This year, each of the four companies that place cigarettes onto the Irish marketplace, chose to avail of the, in our view, bizarre opportunity offered to them by the Irish government to ignore the underlying principles contained within the announcement of a €0.50c (including VAT) increase in the retail pack of 20 cigarettes and inserted pricing that best suited their strategic needs. CSNA members now can now avail of the updated cigarette and tobacco pricelist on the CSNA website.

This is not the first time that this has happened; in fact, it has happened, and will continue to happen, on each occasion that tobacco companies are granted the sole right to determine the retail price of tobacco products.

The CSNA believes that retailers, not tobacco companies, should be the only grouping that determines the retail price of cigarettes in their stores. This is the case for each and every other FMCG in our shops. We are prevented by law from selling at a price higher than the one chosen by a tobacco company, regardless of whether we purchase from them, from a vendor, a cash-and-carry or a specialist wholesaler.

Tobacco companies use all manners and means to minimize the effect of Budget increases. They reduce quantities, limit the pro-rata increase on ‘big boxes’ which makes them more attractive economically to a consumer and generally apply disruptive tactics. It is truly extraordinary that these known advantages are permitted to continue.

## Changes to employment contracts: What you need to know

Members should be aware that a number of statutory changes affecting the terms and conditions of employment will be taking effect over the next few months.

Statutory sick pay will need to be referenced, as will upcoming legislation providing for a maximum six-month probation period.

Neither of these changes have been passed into law so there are no templates to provide to you but with regards to probation, there are a number of considerations that you should inform yourself upon.

### What should be in a probationary period clause?

Probationary period clauses should at a minimum include the following:

- Stipulate the length of the probationary period – as referred to, three to six months is common.
- Allow the employer to extend at its discretion – if you are in the three to six-month space initially, you can consider a three-month extension.
- Allow for a shorter notice period – it's fairly common to provide for a one-week notice

period during probation (and you should ensure that you can terminate on this notice during the initial period and any extension).

- Stipulate that the employee can be terminated for any reason or for no reason during probation.
  - Stipulate that the disciplinary procedure will not apply to a dismissal during probation.
- The last two points are particularly important – and an employer should ensure that the clause deals with them.

### Checklist for employers

- Are the probationary period clauses in my standard employment contract fit for purpose?
- Do they allow for extensions?
- Do they exclude application of our disciplinary procedure?
- Do they deal with the other important points at (a) to (e) above?
- Am I monitoring where employees are in their probation periods – ensuring that I can still dismiss safely if I need to?
- Is there a 'payment in lieu of notice' (PILON) clause in the contract – meaning I can remove the employee from the workplace quickly if I need to?



- Have I allowed for a shorter notice period during probation?
- When dismissing, am I clear in my own mind that I am doing so for performance reasons (i.e., the employee's performance is not up to scratch)?

When dismissing for misconduct, as opposed to performance, have I observed a process to ensure fair procedures have been followed? ■

## CSNA CONTACT DETAILS

If you have any queries regarding CSNA services or membership please contact the office in Naas, Co. Kildare on **045-535050** or by email to [info@csna.ie](mailto:info@csna.ie)/[www.csna.ie](http://www.csna.ie)