Will the Equality Act help increase the number of women in the investment industry?

A government survey has found that a majority of respondents believe there are not enough females in director roles. At the current rate of progress, it will take 40 years for women to gain equal representation in the top 100 companies, according to the Equality and Human Rights Commission.

The Equality Act (the majority of provisions will come into force in Autumn 2018) will allow employers to use “positive action” to appoint more women to senior roles, if they want to, provided the candidates are equally qualified.

Given the current uncertainty around the meaning of “positive action”, however, there is a real possibility of employers facing litigation by the disapp ointed probably male candidates claiming that they were “better qualified” and challenging the employer to prove that they were not. The risk is enough to make most private employers will steer clear of “positive action” when making recruitment decisions.

The Equality Act goes further. Did you know that the Act now allows employers to discuss their pay with colleagues? Extend the power of an Employment Tribunal so that it can make recommendations that can benefit the whole workforce in the Company and not just the individual who brought the claim.

protect breastfeeding mothers: it will be unlawful to force breastfeeding mothers out of restaurants and cafes, for example.

SWLawyers is geared up to assist all employers with all aspects of the Equality Act and the implications and effects of the introduction of this Act.

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NICHIE NEWS

Spring 2010

Good news for Google: trouble for trade mark owners?

Today the mark laws apply to the Google AdWords system. It was the question for the European Court of Justice (ECJ). It did not take long for the ECJ to deliver its verdict - allowing advertisers to purchase their rivals’ trade marks in search terms where Google’s role is merely technical, automatic and passive. In the words of the Advocate General, defending the interests of advertisers, the advertisers intent to ride off the back of rival marks, confusing consumers in the search engine results. The Court recommended, it may be up to trade mark owners to monitor search results and alert Google where they believe their marks are being used in the manner described.

Who wants to pay 50% tax?

Engineers are having a hard time of it this Spring. On 1 April, the new higher ISAs rates for each tax payer for anyone earning over £150,000. Add the higher tax rate of 45% on the additional £50,000 and it’s no wonder has seen one of the major election taking points.

But that doesn’t mean high earners have it so tough. There is a scheme that may well allow you to retain the benefits of a higher rate of tax being paid, and make the entire tax planning scenario more palatable for the high earner, the Equity Release Scheme.

As if that wasn’t enough, personal allowances are now restricted so for every two points you earn over £100,000, your tax is cut by an additional £2,000. The high earned has to pay the tax it UK tax. The employee has no tax liability on the investment income. There are no capital gains tax, the tax, and profits are also possible subsidies. To see how you benefit, put the advice on service at the alternative.

Jo Sommers PVT Advice Ltd

The rise of the pre-nuptial agreement.

You have probably come across in recent times as the common feature on the “do not list” for every engaged couple. This could mean things ranging from the high value of the properties to the courts of England & Wales. Things certainly seem set to change following the court judgment in Radmacher v Grantham. This is a landmark case here and for married couples.

Grantham with assets to only dream of could only dream of, but the case is important for the rest of us nonetheless.

Initially, the High Court ruled that Radmacher should pay her former husband and more than £7 million in a pre-nuptial agreement not to make any claims on her fortune in the event that they split up. Ms Radmacher later appealed. Following the Court of Appeal ruling an amendment was made to the agreement for and a fund of £2.4 million for which will be returned to Ms. Radmacher when the youngest daughter turns 22.

Until now the courts have considered pre-nuptial agreements at the end of the marriage to be unenforceable, but the Supreme Court is now considering the ruling in Radmacher v Grantham and the Law Commission has already announced its intention to examine the issue. The implications of this could be that pre-nuptial agreements become the norm here, as they are in many other countries. Kirly & Co are in advising on pre-nuptial agreements for a number of years and it has found increasing numbers. This may be because of the heightened awareness of these agreements among the general public. Kirly & Co can help with any queries you may have. They can help you avoid trouble. The legal advice is that they can help you buy a balance to proceedings in the uncharted territory of marriage breakdown.

Clare Kirly • Kirly & Co

When the tough get tougher: immigration

Yet more changes in Spring 2010 make it all only harder but a sad reality for migrants to qualify under the Points Based System more difficult. This is where the Government introduces a new “highly skilled” category for sponsors or colleges the ability to offer certain types of courses to those with a good track record with UKBA. Around 150 colleges who had failed failed failed to sponsor skilled workers under the old points-based system could be struck off the register but can be reinstated by demonstrating they do comply with sponsorship duties.

Further, a revision of the points criteria has been the Highly Skilled (HSC) and some? A substantial number of points is lost. This would otherwise have with at least £20,000 annual earnings but with a master’s degree to £35,000 and earnings of £46,000 to £59,000.

Kellino Boulton The Westminster Effect Solicitors

This newsletter provides general guidance. Advice should be sought in relation to particular circumstances.

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