

TONNAGE TAX 1

METHOD OF MAKING AND GIVING EFFECT TO AN ELECTION FOR TONNAGE TAX [SECTION 697D TAXES CONSOLIDATION ACT 1997 (TCA 1997) AND SCHEDULE 18B PART 1 PARAGRAPH 1(1)(2)(3) TO THAT ACT REFER]

Important: before completing this form please consult the Information Note accompanying this form

This form "Tonnage Tax 1" must be completed and accompanied by (a) a copy of the Memorandum and Articles of Association, and (b) Certificate of Incorporation of the company.

Please complete in CAPITAL letters:

1. **Name of company**

2. **Corporation Tax Reference No.**

3. **Address and telephone number of registered office of company**

4. **Full names and addresses of both the company secretary and each of the directors of the company**

Name of secretary/each director	Address

[Continue on page 2 if necessary]

[Continued from page 1]

Name of secretary/each director	Address

5. Full names and addresses of each of the beneficial shareholders of the company and the number and class of shares held by each

Name	Address	Number of shares held	Class of shares

[Continue on page 3 if necessary]

INFORMATION NOTE ON THE COMPLETION OF THE FORM "TONNAGE TAX I"

This form when completed, should be returned to:

Revenue Commissioners, Corporation Tax Unit (Tonnage Tax)
2ND Floor Stamping Building
Dublin Castle Dublin 2
Tel: 01 6475000 Fax: 01 6795814
Email: pjordan@revenue.ie or jwatkins@revenue.ie

For any further information on the completion of this form, or on the tonnage tax regime in general, please contact the above telephone number.

1. A qualifying ship is defined in section 697A(1) TCA 1997.
2. "Tonnage tax activities" in relation to a tonnage tax company (as defined under section 697A(1) TCA 1997) mean activities carried on by the company in the course of a trade which consists of one or more than one of the activities described in paragraphs (a) to (g) and (i) to (l) of the definition of "relevant shipping income" in section 697A(1).
3. A company must satisfy both aspects of the 'strategic and commercial test' before it can be considered eligible for inclusion under the tonnage tax regime. *The following information should be provided and backed up by hard copy evidence (e.g. copies of contracts, agreements etc):*

Evidence that strategic management is carried out in Ireland e.g.

- Location of headquarters, including senior management staff
- Evidence of decision-making of the company board of directors in Ireland on significant capital expenditure and disposals, the award of major contracts, agreement on strategic alliances, etc. where in Ireland were these decisions carried out?
- Evidence of decision-making of the operational board in Ireland. Where in Ireland were these decisions carried out?
- The extent to which foreign based personnel work under the direction of, and report to, personnel based in Ireland. In this context an estimate of the number of personnel/management employed or to be employed in Ireland must be given.

Evidence that commercial management is carried out in Ireland e.g.

- Route planning
- Taking of bookings for cargo or passengers
- Managing the bunkers, provisioning and victualling requirements of ships
- Personnel/crew management
- Training
- Technical management of ships, including decisions on the repair and maintenance of vessels. Other relevant information, for example the maintenance of support facilities such as training centres, terminals, etc. in Ireland (the fact that a ship is flagged, classed, insured or financed in Ireland may add further weight to the indicators set out above).

It would be useful to provide an overview of the nature of the company's business (wet/dry/liner/ferry/offshore/etc), typical contract and customer types, the operation/description of the marketplace and any additional relevant information. A copy of the company's business plan, if available, would be beneficial.

4. To qualify for entry into the tonnage tax regime you should note the following: Section 697A(1) TCA 1997 provides that a "**qualifying company**" means a company -
 - (a) within the charge to corporation tax,
 - (b) that operates qualifying ships, and
 - (c) which carries on the strategic and commercial management of those ships in the State.