

TAX BRIEFING

ISSUE 20 - No. 4, 1995

Office of the Chief Inspector of Taxes

INTRODUCTION

As Christmas approaches we take the opportunity to send

Seasons Greetings

to everybody on our Mailing List.

In 1995 a further one thousand practitioners joined our readership bringing the total number on our external Mailing List to just over four thousand. We see this as a very positive response to this aspect of our information programme.

So that there are no delivery problems with the bulletin we ask those of you who have had a change of name or address to complete the **Mailing List Update**, which is enclosed for your convenience. There is, of course, no need to complete the form if you have not made those changes.

Due to changes in assignments, my work as editor of **Tax Briefing** finishes with this edition. It only remains for me to extend sincere thanks to the constant contributors from the various sections within Revenue and to practitioners who during the period telephoned or wrote to me personally in support of the Bulletin.

Finally, very best wishes go to Mr. John Leamy who is the new editor of **Tax Briefing**.

Maureen Moore,
Editor - **Tax Briefing**,
Office of the Chief Inspector of Taxes,
Setanta Centre (4th Floor),
Nassau Street,
Dublin 2.

Clarification

Section 31, Finance Act 1995

This section provides, inter alia, for a fixed date of **30 April** for the payment of the balance of **Income Tax**.

The first specified due date will be **30 April 1997**.

This will be the fixed due date for the balance of 1995/96 income tax over the amount of **Preliminary Tax** already paid.

Section 31 does not affect the due date for payment of the balance of income tax for earlier years.

It follows that the balance of income tax for the year 1994/95 continues to be payable on the later of:

- ✧ 31 January 1996, or
- ✧ one month after the date of the 1994/95 assessment

where sufficient **Preliminary Tax** was already paid.

CONTENTS

1. INCOME TAX

- 1.1 Guidelines on Approved Profit Sharing Schemes
- 1.2 Race Horse Trainers and Farming
- 1.3 Off-Shore Funds - Section 41 Finance Act 1995
- 1.4 PAYE - Week 53 procedures
- 1.5 Residence of Individuals - Finance Act 1995 Amendments
- 1.6 Relief for Donations of Heritage Items

2. REVENUE AUDIT

- 2.1 Manufacturing Relief
- 2.2 Leased Assets

3. CAPITAL TAXES

- 3.1 Residential Property Tax
- 3.2 Certificate of Clearance from Residential Property Tax
- 3.3. Capital Acquisitions Tax
- 3.4 Agricultural Relief - Explanatory Leaflet
- 3.5 Stamp Duty - Particulars Delivered
- 3.6 Public Office Customer Survey

4. VAT

- 4.1 Property
- 4.2 Place of Supply
- 4.3 Golf - Green Fees
- 4.4 Sport and Leisure
- 4.5 The Seventh VAT Directive
- 4.6 Hire-Purchase
- 4.7 Auctioneers
- 4.8 Monthly Control Statement
- 4.9 Flexible Accounting
- 4.10 VAT Refunds
- 4.11 Section 22 Estimates
- 4.12 Greyhound Feeding Stuffs

5. COLLECTION

- 5.1 Direct Debit - Preliminary Tax

6. INTERNATIONAL ISSUES

- 6.1 Treaty with United Kingdom
- 6.2 Treaty with the Russian Federation
- 6.3 Treaty with Hungary
- 6.4. New Treaty with United States of America

APPENDICES

- I. List of agreed Flat-Rate Schedule E Expenses 1995/96
- II. Directory of Principal Inspectors & Assignments
- III. *Tax Briefing* Index - Items of Current/Ongoing Relevance

1. INCOME TAX

1.1 Approved Profit Sharing Schemes Guidelines On Certain Schemes

Introduction

Persons entitled to participate in Profit Sharing Schemes must do so on “**similar terms**” in accordance with the provisions of Paragraph 2, Third Schedule Finance Act 1982.

The number of shares appropriated to employees may vary by reference to levels of remuneration or length of service. Discretionary bonuses not based on objective criteria and not payable to all members of staff are not acceptable as a basis for applying the “similar terms” provisions.

Where entitlement to share appropriation is by reference to levels of remuneration, account can be taken of basic remuneration only. It follows that payments such as bonus (discretionary/ non-discretionary) or overtime should not be included in the remuneration figure.

Salary Foregone

Heretofore, Profit Sharing Schemes partly funded by a restricted amount of salary foregone have been approved by the Revenue Commissioners. In such cases, the employer funded element of the Scheme exceeded the amount contributed by the employees. The Revenue Commissioners intend to continue the practice of approving Profit Sharing Schemes which are funded as follows:

⌘ by the employer

⌘ out of non-discretionary bonuses, length of service payments etc.

⌘ out of salary foregone payments which are subordinate to the main funding

A Scheme funded by salary foregone payments only, will not be approved. Otherwise, each Scheme will be considered for approval by reference to its own particular rules.

The following guidelines should be followed in setting up a Scheme which includes a provision for salary foregone:

⌘ the amount of salary foregone, must form only a subsidiary element of the overall funding of the Scheme

⌘ the salary foregone provision should be optional for each participant

⌘ the amount of salary foregone may not exceed 7½% of a participants basic salary

⌘ if a provision for a minimum amount of salary to be foregone is included in the Scheme, the minimum amount **cannot exceed** £100 or 1% of basic salary

⌘ if varying percentages are included in a Scheme, each participant must be entitled to select the percentage of his/her choice

⌘ for each participant there must be at least a 1:1 ratio between the shares appropriated in lieu of salary foregone and the shares funded by the company.

Funding from non-discretionary bonuses or length of service payments will be regarded as part of the employer funding of a Scheme.

Contributory Schemes

In future, Profit Sharing Schemes may be partly funded by payments from the employee. This will arise where employees are required by their employer to purchase shares out of “net” salary so that they can receive free shares under a Scheme. Each such Scheme, called a “**Contributory Scheme**”, will be considered by reference to its own particular rules.

The following guidelines should be followed in setting up a “**Contributory**” Scheme:

⌘ the amount of contributory payment must form only a subsidiary element of the overall funding of the Scheme

⌘ the maximum amount of shares purchased out of “net” salary cannot exceed 7½% of basic salary

⌘ if a provision for a minimum amount in respect of a participant’s contribution is included in the Scheme that minimum amount cannot exceed £100 or 1% of basic salary

- ⌘ each participant must receive at least 1 free share for each share purchased
- ⌘ while the “purchased” shares do not form part of an approved Profit Sharing Scheme they must be retained for the employee by Nominees/Trustees for a minimum period of two years.

Monitoring and Review

Schemes which are partly funded out of salary foregone and contributions from “net” salary are approved on a concessional basis. Schemes will be monitored as part of the normal processing of annual Return and will also be subject to review.

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

1.2 Race Horse Trainers and Farming

A number of enquiries have been received on whether race horse trainers are entitled to Farm Buildings Allowance in respect of expenditure incurred on stables, yards, etc.

In general, Revenue take the view that once a trainer has the use of land or, the right by virtue of any easement (within the meaning of Section 80 of the Income Tax Act 1967) to graze livestock on land, the trainer will be regarded as farming within the meaning of Section 13 of the Finance Act, 1974.

Such trainers are entitled to Farm Buildings Allowances for capital expenditure on the construction of buildings and other works in accordance with Section 22(2) of the Finance Act 1974.

1.3 Section 41 Finance Act 1995, Off-Shore Funds

(i) Part VII of the Finance Act 1992

Under the provisions of Part VII (Sections 226, 227 and 230) of the Finance Act 1992, information returns required under certain specified provisions must be made on a self-assessment basis (generally referred to as “automatic reporting”). Prior to the Finance Act 1992, these returns were made only when required by notice issued by the Inspector.

(ii) Statement of Practice

Statement of Practice SP - IT/1/92 “Returns of Certain Information - Third Party Returns” sets out the specific provisions to which the automatic reporting applies and gives full details of the return making requirements.

(iii) Section 41 Finance Act 1995

Section 41 of the Finance Act 1995 provides for the extension to off-shore funds of the automatic reporting arrangements as introduced in the Finance Act 1992. It requires returns to be made for acquisitions by persons who are resident or ordinarily resident in the State (Irish residents) of material interests in certain off-shore funds.

(iv) Off-shore Fund

For the purposes of Section 41, an off-shore fund is:

- (a) a company which is resident outside the State, or
- (b) a unit trust scheme the trustees of which are not resident in the State, or
- (c) any arrangements which do not fall within paragraph (a) or (b), which take effect by virtue of the law of a territory outside the State and which, under that law, create rights in the nature of co-ownership.

Sections 62 - 69 Finance Act 1990 deal with the taxation of such off-shore funds. Broadly, gains arising on the disposal of material interests in certain off-shore funds after 5 April 1990 are chargeable to income tax under Case IV of Schedule D.

(v) Material Interest

An interest is a material interest if it capable of realising an amount equal in value to the proportion of the underlying assets of the off-shore fund as represented by that interest.

(vi) Who must make the Return?

Intermediaries

Persons who, in the ordinary course of their trade or business, provide a service whereby they act as an intermediary on behalf of Irish residents in, or in connection with, the acquisition of material interests in off-shore funds, are required to make returns of:

- the full name and permanent address of the Irish resident
- the Irish resident's tax reference number
- the full name and address(es) of the institution(s) in which the interest(s) was (were) acquired

- the cost of the acquisition of each interest.

Taxpayers

Irish resident persons who acquire material interests in off-shore funds must furnish the above information to the intermediary acting on their behalf.

Irish resident persons must include in their annual return of income:

- details of acquisitions of material interests in off-shore funds in the chargeable period, **and**
- details of gains arising from disposals of material interests in off-shore funds in the chargeable period.

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

(vii) **Effective Dates**

Section 41 Finance Act 1995 applies to material interests in off-shore funds acquired *after 1 June 1995*. In the case of persons and bodies of persons (other than companies chargeable to corporation tax), returns of such material interests are required for the year of assessment 1995/96 and subsequent years. In the case of companies chargeable to corporation tax, returns of such material interests are required in respect of accounting periods ending *on or after 1 June 1995*. These dates apply whether the persons are making the return in their capacity as an intermediary or in their own right.

1.4 Week 53 Procedures

Practitioners are reminded that weekly paid employees whose pay-day is on Thursday 4 April or, Friday 5 April 1996 will usually have 53 pay-days in the income tax year 1995/96.

The procedures to be adopted in Week 53 cases are set out in

- Regulation 21 of the Income Tax (Employment) Regulations 1960 (S.I. No. 28 of 1960) and
- Paragraph 161 of the Employer's Guide to PAYE.

Depending on the payment date these provisions may also apply and should be followed, if appropriate, for fortnightly, four-weekly and monthly paid employees.

1.5 Residence of Individuals Finance Act 1995 Provisions

Amendment of Chapter IV of Part I of Finance Act, 1986

Section 167 Finance Act 1995 provides that in 1995/96 and subsequent years of assessment **non-residence** instead of **non-ordinary residence** will be the basis for exemption from Deposit Interest Retention Tax (DIRT). Heretofore, any person who was not ordinarily resident in the State has not been liable to DIRT.

Amendment of Section 175 of the Income Tax Act, 1967

Section 175 I.T.A. 1967 places an obligation on financial institutions to provide a return to Revenue, if required, of persons to whom interest has been paid without deduction of tax. However, persons not ordinarily resident in the State were specifically outside the scope of such returns.

Section 168 Finance Act 1995 amends Section 175. It provides that **non-residents** (instead of persons not ordinarily resident) will not be the subject of such returns.

Section 169 Finance Act 1995

Under the provisions of Section 152 of the Finance Act 1994 an individual who is non-resident but who is **ordinarily resident** continued to be liable to tax on foreign investment income. The purpose of Section 169 is to exempt from tax those individuals with moderate foreign investment income in any year (e.g. Irish individuals who work abroad on contract). The exemption will apply to individuals with foreign investment income not exceeding £3,000 per annum. In this way, most persons going abroad to work for a number of years will not be taxed on the savings from their foreign earnings.

On the other hand, the section does not dilute Irish taxing rights in the case of those with substantial foreign investment income. The section is effective from the commencement of Section 152 of the Finance Act, 1994.

Section 170 Finance Act 1995

This section amends Section 154 of the Finance Act 1994 **from the date of its commencement** in two respects. Firstly, up to now the first 15 days spent abroad in a year did not qualify for the relief available under Section 154. This requirement is now being removed. Secondly, the legislation is clarified to ensure that those qualifying under the

provisions get the full value of relief. The section makes it clear that relief is to be based on total earnings for the year, not merely on a proportion of the foreign earnings.

Form RES 1

A new Leaflet RES 1 incorporating the changes in both Finance Act 1994 and Finance Act 1995 is enclosed with this edition of ***Tax Briefing***.

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

Introduction

The 1995 Finance Act introduced tax relief in respect of the donation of important national heritage items to the Irish national collections.

The relief consists of a tax credit equal to the value of the heritage item(s) donated which can be credited against particular tax liabilities incurred by the donor.

How to qualify for the Relief

In order to qualify for the relief, donors of heritage items should take the following steps:

- ⌘ Contact the Department of Arts, Culture and the Gaeltacht to obtain the application form and, if necessary, information.
- ⌘ Forward the completed application form, together with details of the heritage item(s) being donated, to the Department of Arts, Culture and the Gaeltacht for onward transmission to the Selection Committee.
- ⌘ The Selection Committee will then decide if the heritage item(s) is/are appropriate for donation under the legislation and formally request the Revenue Commissioners to value the item.
- ⌘ If the heritage item is appropriate for donation and if it meets the valuation requirements, the donor will be advised that he/she can make the donation.
When the donation actually takes place, a Designated Officer of the Approved Body to which the donation is being made (this is the representative of the Approved Body on the Selection Committee) will give a certificate to the taxpayer certifying the receipt of the donation and the change of ownership of the heritage item(s) to the Approved Body.
- ⌘ A duplicate of this certificate will be given to the Revenue Commissioners who will arrange for the crediting against the appropriate tax liabilities on request from the donor.

Structure of the Relief

Section 176 Finance Act 1995 provides that persons who donate heritage items can credit the value of those items against their liabilities for certain taxes.

- ⌘ The taxes covered by the relief are Income Tax, Corporation Tax, Capital Gains Tax, Gift Tax and Inheritance Tax.
- ⌘ The tax credit must first be set against arrears (if any) of those taxes. Only when any such arrears are cleared can the tax credit be set against current and future tax liabilities.
- ⌘ The tax credit granted in this instance is non-refundable and will not lead to any repayment of tax. No interest is payable on any overpayment which arises as a result of the tax credit.
- ⌘ In order to obtain the tax credit, the heritage item(s) must be donated for no consideration - other than the tax credit itself.
- ⌘ The donor is not entitled to any other tax relief in respect of the donation - including the relief from capital gains

tax for disposals of assets to the State.

Heritage Items

For the purposes of the relief, heritage item means any kind of cultural item including -

- any archaeological item, archive, book, estate record, manuscript and printing, and
- any collection of cultural items and any collection of same in their setting which are considered appropriate for donation to the national collections.

The national collections are described as Approved Bodies under the legislation.

The tests applied in order to determine whether a heritage item or collection of heritage items is appropriate for donation to the Approved Bodies are as follows:

- (1) the heritage item(s) must be an outstanding example of the type of item involved, pre-eminent in its class, whose export from the State would constitute a diminution of Ireland's accumulated cultural heritage and must be suitable for acquisition by the Approved Bodies, and
- (2) the open market value of the heritage item or collection of heritage items must be at least £75,000 and the aggregate open market value of all heritage items donated in a calendar year must not exceed £0.5m.

Decisions regarding the first test are a matter for a Selection Committee provided for under the legislation.

The Revenue Commissioners have the responsibility for valuing the open market value of the heritage item(s) donated.

Approved Bodies/Selection Committee

Following is a current list of Approved Bodies under the legislation:

the National Archives,
the National Gallery of Ireland,
the National Museum of Ireland,
the National Library of Ireland,
the Irish Museum of Modern Art.

The Minister for Arts, Culture and the Gaeltacht, with the consent of the Minister for Finance, has the authority to approve further bodies for the purpose of the relief. Such additional bodies must be funded wholly or partly by the State or a public or local authority.

The Selection Committee is composed of the following persons:

the Chairperson, Heritage Council,
the Director, Arts Council,
the Director, National Gallery of Ireland,
the Director, National Library of Ireland,
the Director, National Museum of Ireland,
the Director, Irish Museum of Modern Art.

The Selection Committee's secretariat is provided by the Department of Arts, Culture and Gaeltacht to which correspondence, etc. should be directed - see below.

Application Forms and Information in relation to the Relief can be obtained from:-

The Selection Committee,
c/o Department of Arts, Culture and the Gaeltacht,
Dun Aimhingin,
Mespil Road,
Dublin 4.

Tel: (01) 667 0788
Fax: (01) 667 6827

The Revenue Commissioners are required to compile and publish in their Annual Report the names, descriptions and values of the heritage items in respect of which relief is given in any calendar year.

2.1 *Manufacturing Relief - Audit*

Since the introduction of audit a number of companies claiming manufacturing relief have been audited.

Some audits reveal that while the trade may not be manufacturing activity or may be only part manufacturing, the claim to manufacturing relief covers the entire profits.

Against this background, practitioners are **reminded** of the following:

- (a) the definition of “goods” provided in Section 39 Finance Act 1980 has been considerably restricted by
Section 41 Finance Act 1990
- (b) in trades where activities are mixed, the provisions of Section 41 Finance Act 1980 should be applied to restrict a claim for manufacturing relief, to the income derived from the sale of “goods”.
- (c) avail of the “expression of doubt” provisions can be availed of in cases of uncertainty.

2.2 *Leased Assets*

Introduction

Audit Inspectors advise that some practitioners are unclear as to the tax treatment to be applied to asset lease payments. The position is summarised as follows:

SSAP 21

Under SSAP 21 a finance lease is essentially a mechanism whereby the lessor finances the ‘acquisition’ of an asset which will be used by the lessee. Such a lease *‘transfers substantially all the risks and rewards of ownership of an asset’* to the lessee. The accounting treatment recognises the practical implications of such a lease and requires that the asset be capitalised. Accordingly, the lease payments are effectively dealt with by debiting depreciation and finance charges in the profit and loss account.

Capital Allowances

The legal position and the accounting treatment essentially diverge. Even though the asset is capitalised in the company’s balance sheet, capital allowances cannot be granted since the asset is not owned by the company at the end of the basis period. Relief for taxation is granted by adding back both depreciation and ‘finance charges’, and deducting the leasing charges (less any deductible VAT).

Debtors/Trade-ins

Instances have arisen where the deposit or a trade-in value has been deducted in the tax computation relating to the first year of a lease. The correct treatment for tax is in line with accrual accountancy concept. The deductible expense is not the cash or deemed cash outlay but the expense incurred. Thus the deposit or trade-in value should be spread over the period of the lease.

This view is supported by the decision in the recent U.K. tax cases *Gallagher (or Threlfall) v Jones* STC537.

Settlements

Where the leased asset is sold and the settlement results in a rebate of lease payments to the lessee, such payments represent a recovery of expenses laid out and deducted and so fall to be charged as a trading receipt.

Motor Vehicles

Where the asset is one to which Section 30 F.A. 1973 applies (i.e. suitable for the carriage of passengers), then Section 27 F.A. 1973 applies to any deductions claimed in respect of lease payments.

Such payments fall to be apportioned by reference to the relevant limit applicable.

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

3. CAPITAL TAXES

3.1 *Residential Property Tax*

Introduction

Practitioners with clients who are liable to pay Residential Property Tax are reminded that the due date for payment and filing of returns was **1 October**.

This year, the market value and income thresholds have been increased. The tax is levied on property valued in excess of £94,000 on the valuation date 5 April, 1995, where the gross income of the household exceeded £29,500.

The tax is charged at the rate of 1.5% on the excess over £94,000 of the market value of all the residential property owned and occupied by a person where the income threshold is exceeded.

Relief is provided where the household income exceeds the exemption limit by less than £10,000 (£15,000 for owner(s) aged 65 or over on 5 April, 1995). In addition, the tax is reduced by 10% in respect of each qualifying child.

Return forms (R.P.1) are available from Tax Offices, main Post Offices or from the Capital Taxes Division in Dublin Castle. Any assistance required in completing the return or any information on the tax may be obtained by calling the

HELPLINE 1-850-288088 or
(01) 6792777 Exts: 4164, 4173, 4174.

3.2 *Certificate of Clearance from Residential Property Tax*

Practitioners are reminded that it is in the their best interests and that of their clients, that applications for a Residential Property Tax clearance certificate be made immediately a contract for sale is executed. Where the Residential Property Tax affairs of the vendor are in order the clearance certificate (Form RP50A) will be issued within days of receipt of the application (Form RP50).

Failure to submit an application until a day or two before the closing of a sale could prejudice the timely issue of the clearance certificate.

A leaflet (RPS) relating to the operation of Residential Property Tax clearance certificate is enclosed with this issue of ***Tax Briefing***.

3.3 *Capital Acquisitions Tax*

The Finance Act of 1990 introduced indexation for the purposes of calculating CAT liabilities. A Statement of Practice (SP-CAT/2/90) explained the indexation procedure in detail.

A further Statement of Practice (SP-CAT/1/95) is now available which specifies the indexation factors to be employed. In summary, the threshold amounts should be multiplied by an indexation factor of:

- 1.104 where the taxable gift/inheritance is taken in the year 1990
- 1.076 where the taxable gift/inheritance is taken in the year 1991
- 1.109 where the taxable gift/inheritance is taken in the year 1992
- 1.145 where the taxable gift/inheritance is taken in the year 1993
- 1.160 where the taxable gift/inheritance is taken in the year 1994
- 1.188 where the taxable gift/inheritance is taken in the year 1995

The Finance Act of 1993 also introduced indexation in respect of the exemption threshold for Probate Tax.

The exemption threshold for Probate Tax purposes (i.e. £10,000) should be multiplied by 1.015 in respect of persons dying in 1994, and by 1.039 in respect of persons dying in 1995. _

3.4 *Agricultural Relief - Explanatory Leaflet*

A new Agricultural Relief explanatory leaflet (CAT 5) is now available and a copy is inserted with this edition of ***Tax Briefing***. Additional copies may be requested from:

Capital Taxes Division,
Taxpayer Advisory Service,
Dublin Castle,
Dublin 2.
Telephone: (01) 6792777, Extn. 4593/4591/4597
Fax: 6793261

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

Particulars Delivered

New Regulations (S.I. No. 144 of 1995) came into effect on 1 September 1995, for instruments executed on or after that date. The main changes are as follows:

⌘ the Particulars Delivered requirement is now extended to lifetime voluntary dispositions including interests in land.

⌘ the new “PD” form (ST21) requires the tax reference number for each of the parties to the instrument.

⌘ the new form also requires a description of the property - under specified headings.

Set out below is a list of the most common errors/omissions leading to rejection of Forms ST21. It would be appreciated if this checklist could be brought to the attention of staff who are responsible for the preparation and completion of the forms. *Proper completion in the first instance saves time for both the practitioner and the Revenue Commissioners.*

- **The date of the instrument is not shown.**
In all cases the date of the underlying instrument must be shown.
- **Tax number not shown and no reason given.**
If a person (individual, company etc.) ever had a tax reference number it must be shown. Where a tax number is not shown because of non-residence the appropriate box in sections G or H of the Form ST21 should be ticked. In all other cases where a number is not shown a substantive reason for its omission must be furnished.
- **Failure to show the RSI number of a party to a transaction who is deceased.**
If a party to a transaction is deceased his/her RSI number or, the tax number given to the person in his/her capacity as personal representative must be shown on the Form ST21.
- **Failure to complete Section E of the form.**
Section E must be completed in all cases. Where the land area exceeds one acre a location map/plan should be provided.
- **Failure to indicate a voluntary disposition.**
Section F of the “voluntary disposition” box must be ticked where there is no consideration or where the consideration is less than the open market value of the property being transferred, assigned or leased.
- **Incorrect or omitted signatures.**
The declaration at section G of the Form ST21 must be signed by the transferor/lessor or the solicitor acting for the transferor/lessor. The declaration at Section G of the form must be signed by the transferee/lessee or by the solicitor acting on behalf of the transferee/lessee.
- **Submission of a single copy of the Form ST21.**
The form must be submitted in duplicate.

Any queries relating to the Form ST21 should be addressed to:

Brendan Costigan or Donal Savage - in the **Dublin Stamp Duty Office**
Telephone: (01) 6792777 Ext. 4574 or 4567
Fax: (01) 6790636

Luke Byrne or Bobby Lee in the **Cork Stamp Duty Office**
Telephone: (021) 968783 Ext. 3103 or 3105
Fax: (021) 3108088

3.6 *Public Office Customer Survey*

Mr. Brian McCabe, Director, Customer Service Branch wishes to thank all our customers who participated in the recent survey. The results are at present being analysed and the very many useful suggestions will be considered.

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

Introduction

The Finance Act, 1995, contained a wide range of measures relating to VAT which are summarised below:

4.1 *Property*

Section 122 Finance Act, 1995, amended Section 4(5) of the VAT Act to ensure that where a site is supplied as part of an agreement to develop a property VAT remains chargeable on the disposal of the site in line with long-standing practice.

4.2 *Place of Supply*

Section 123 Finance Act, 1995, amended Section 5(5) of the VAT Act to bring the Irish “place of supply rule” for services directly into line with EU law.

4.3 *Golf - “Green Fees”*

Section 140 Finance Act, 1995 put in place measures to eliminate any possible tax-based distortion of competition in favour of member-owned golf clubs and local authority golf facilities.

From 1 January 1996, “green-fee” type income (exceeding £20,000) of member-owned golf clubs and local authority owned golf courses will be subject to VAT at 12.5%.

4.4 *Sport and Leisure*

Section 124 Finance Act 1995 enables the Revenue Commissioners, from 1 January, 1995, to designate as taxable a normally exempt service in the area of sport and leisure. This can only be done if the exemption of such services places similar commercially provided services at a competitive disadvantage.

4.5 *The Seventh VAT Directive*

This deals mainly with secondhand goods, which are goods bought by dealers from persons who did not receive a deduction on purchase and consequently did not charge VAT on the sale to the dealer. These persons are essentially private individuals or exempt persons who are not in a position to pass on a VAT credit to the dealer in the transaction. The Directive provides that when the dealer sells the item he may calculate VAT on the basis of his profit margin only - instead of charging VAT on the full value of the goods as is the case at present. The margin scheme is set out in Section 126 Finance Act, 1995.

The Directive also:

- introduces a similar scheme for goods sold by public auction, instead of the profit margin, the auctioneer’s commission is the basis for calculating the VAT (Section 127 Finance Act, 1995).
- allows motor dealers to claim the residual tax contained in secondhand motor vehicles bought from persons who did not deduct VAT on purchase. (Section 130 Finance Act, 1995).

An information leaflet has been produced in conjunction with SIMI on the subject.

- allows reduction in the rate of VAT chargeable on certain works of art, collectors items and antiques when they are imported or when works of art are supplied by the artist or his successors.

As a consequence of the Seventh Directive, the old trade-in rule (the proviso to Section 10(2) VAT Act, 1972) has been repealed.

4.6 Hire-Purchase

The finance charges in hire-purchase and credit-sale transactions are exempt from VAT from 2 June 1995.

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

4.7 Auctioneers

From 1 July 1995 sales of moveable goods by an auctioneer or commission agent are treated as a supply of goods for VAT. The supplies are taxed at the rate applicable to the goods being sold rather than the rate applicable to agency work or auctioneering.

4.8 Monthly Control Statement

Section 132 Finance Act 1995, abolishes the monthly control statement for supplies made on or after 1 May 1995. Traders are now required to give details of any gifts or promotional items given, or other payments made to any person, in connection with a supply of goods only on request from the Revenue Commissioners.

4.9 Flexible Accounting

Section 134 Finance Act 1995 gives VAT-registered traders who operate on direct debit or the annual accounting system the option, subject to Revenue authorisation, of aligning the date of their annual VAT return with the date of their own commercial accounting period. This measure will come into effect on a date specified by Ministerial Order.

4.10 VAT Refunds

Section 135 Finance Act 1995 allows the Revenue Commissioners to make repayments into a bank or building society account nominated by each registered trader to whom a refund is due.

4.11 Section 22 Estimates

Section 136 Finance Act 1995 enables the Revenue Commissioners to issue revised Section 22 estimates where the original estimate is found to be too high.

4.12 Greyhound Feeding Stuffs

Section 140(e) Finance Act 1995 reduces the rate of VAT on greyhound feeding stuffs to 12.5% from 1 July 1995.

Statements of Practice have been issued relating to VAT and Gifts (SP-VAT/3/94) and Repayments to Unregistered Persons (SP-VAT/2/94).

5. COLLECTOR GENERAL

5.1 *Direct Debit For The Payment of Preliminary Tax*

The Finance Act, 1995, provides for the payment of preliminary tax by direct debit.

The Revenue Commissioners have put in place the necessary arrangements to allow for the operation of this facility with effect from 1 January, 1996.

The direct debit facility will operate on a calendar year basis and will apply in the first year to the 1996/97 year of assessment i.e. for preliminary tax due on 1 November, 1996.

Further information and forms can be obtained by contacting the:

Direct Debit Helpline on (061) 310310

or writing to

Central Services Area,
Collector-General's Office
Sarsfield House
Francis Street
Limerick

or faxing (061) 313385

6. INTERNATIONAL ISSUES

6.1 *Treaty with United Kingdom*

The formal ratification procedures necessary to bring the Protocol signed in November, 1994, (amending the 1976 treaty with the United Kingdom) into effect was concluded on 21 September 1995. The Protocol, which provides for the insertion in the existing treaty of a new Article 17A dealing with contributions to occupational pension schemes, applies for the years of assessment commencing on or after 6 April 1994, and for accounting periods beginning on or after 1 April 1994.

6.2 *Treaty with the Russian Federation*

The treaty with the Russian Federation came into force on its ratification by the Russian authorities on 7 July 1995. The treaty will come into effect for income tax on 6 April 1996, and for corporation tax on 1 January 1996.

6.3 *Treaty with Hungary*

A new treaty with Hungary was signed in April and is expected to be ratified by the Government before the end of the year. Providing that all ratification procedures have been completed by 31 December, the treaty will come into effect for income tax on 6 April 1996, and for corporation tax on 1 January 1996.

6.4 *New Treaty with United States of America*

An opening round of discussions for the re-negotiation of the Ireland/US Double Taxation Treaty was held in Dublin in June/July this year. It is likely that a second round of negotiations will take place in Washington before the end of 1995.

This content is more than 5 years old.
Where still relevant it has been incorporated
into a Tax and Duty Manual
or other website text.

Appendix I

List of agreed Flat-Rate Schedule E Expenses 1995/96

| | £ |
|---|-----------------------|
| Archaeologists (Civil Service) | 100 |
| Architects employed by | |
| (a) Civil Service | 100 |
| (b) Local authorities | 100 |
| Airline Cabin Crews | 38 |
| Bar trade: | 63 |
| Employees | |
| Building Industry | |
| Bricklayer | 105 |
| Fitter mechanic, plasterer | 80 |
| Electrician | 120 |
| Mason, roofer slater, tiler | 65 |
| Floor layer, Stone Cutter. | 65 |
| Driver, scaffolder, sheeter, steel erector | 40 |
| Professionals: engineers, surveyors, etc. | 25 |
| General operatives (labourers etc. Public Sector) | 66 |
| Bus, rail and road operatives in | |
| Bus Atha Cliath, Bus Eireann and Iarnrod Eireann [other than clerical/administrative staff] | 65 |
| For craft workers (e.g. carpenters, plumbers etc.) | See separate headings |
| Cardiac Technicians | |
| Male | 83 |
| Female | 166 |
| Carpentry and joinery traders | |
| Cabinet makers, Carpenters, Joiners | 130 |
| Painters, polishers, upholsterers, woodcutting machinists | 80 |
| Civil Service | |
| Architectural Technologists & Assistants | 100 |
| Clerk of Works (include. Senior & District Inspectors) | 85 |
| Engineering Technicians | 100 |
| For Archaeologists, Architects, Engineers and Surveyors | See separate headings |
| Clergymen (Church of Ireland) | 100 |
| Consultants (hospital) | 200 |
| Dentists in employment | 180 |
| Dockers | 49 |
| Doctors (hospital, not including consultants) | 210 |
| Note: Deduction includes subscription to the Irish Medical Council. | |
| Draughtsmen (Local Authority) | 90 |
| Education (see teachers) | |
| Electricians | 120 |
| Engineers employed by: | |
| (a) Civil Service | 100 |
| (b) Local Authorities | 100 |
| (c) Bord Telecom, Coillte, Office of Public Works | 100 |

£

Engineering Industry

| | |
|---|-----|
| Skilled workers who bear the full cost of own tools and overalls | 175 |
| Semi-skilled workers who bear the full cost of own tools and overalls | 135 |
| All unskilled workers and skilled or semi-skilled workers who do not bear the full cost of own tools and overalls | 115 |

Firemen

| | |
|-----------|-----|
| Full-time | 90 |
| Part-time | 225 |

Fishermen in Employment

250

Foresters Employed By Coillte

90

Hospitals Domestic Staff;

To include general operatives, porters, drivers, driver's attendants, domestic, laundry operatives, cooks, catering supervisors, waitresses, catering staff, kitchen porters. 97

(a) who are responsible for providing and laundering their own uniforms 28

(b) whose uniforms are supplied and laundered free 150

Respiratory/Pulmonary Function Technicians

For hospital Cardiac technicians, consultants, doctors, nurses, radiographers, occupational therapists and physiotherapists - see separate headings

Hotel industry

| | |
|-------------------|-----|
| Head hall porter | 70 |
| Hall porter | 50 |
| Head waiter | 100 |
| Waiter | 75 |
| Waitress | 50 |
| Chef | 75 |
| Manager | 150 |
| Assistant Manager | 100 |
| Trainee Manager | 60 |
| Kitchen porter | 15 |

Journalists

Journalists, including those in public relations area of journalism 300

Journalists who receive expenses allowances from their employers 120

Lecturers: (see teachers)**Licensed trade: (see bar trade)****Local Authorities**

| | |
|-----------------------|----|
| Chemists | 90 |
| Parks Superintendents | 30 |
| Town Planners | 90 |

For Architects, Draughtsmen, Engineers and Surveyors

See separate headings

Motor repair and motor assembly trades**Assembly workers greasers, storemen and general works**

(a) who bear the full cost of own tools and overalls 35

(b) who do not bear the full cost of own tools and overalls 28

Fitters and mechanics

(a) who bear the full cost of own tools and overalls 56

(b) who do not bear the full cost of own tools and overalls 28

Motor repair and motor assembly trades (contd.)**Panel Beaters** (See Panel Beaters/Sheet Metal Workers)**£****Nurses**

| | |
|---|-----|
| (a) where obliged to supply and launder their own uniforms | 440 |
| (b) where obliged to supply their own uniforms but laundered free | 380 |
| (c) where obliged to launder the uniforms supplied | 210 |
| (d) where uniforms are supplied and laundered by hospital | 150 |

Occupational Therapists

| | |
|---|-----|
| (a) where obliged to supply and launder their own uniforms | 170 |
| (b) where obliged to supply their own uniforms but laundered free | 120 |
| (c) where uniforms are supplied and laundered by hospital | 40 |

Panel Beaters/Sheet Metal Workers

| | |
|---|----|
| (a) who bear the full cost of own tools and overalls | 60 |
| (b) who do not bear the full cost of own tools and overalls | 30 |

Pharmacists

73

Physiotherapists

| | |
|---|-----|
| (a) where obliged to supply and launder their own uniforms | 205 |
| (b) where obliged to supply their own uniforms but laundered free | 145 |
| (c) where uniforms are supplied and laundered by hospital | 50 |

Pilots (Airline Pilots)

75

Plumbing trades

130

Plumber (non-welder)

150

Plumber-welder

150

Pipe fitter-welder

Printing, Bookbinding and allied trades

| | |
|---|-----|
| Bookbinders (Hand) | 80 |
| Bookbinders (Others) | 70 |
| Compositors, linotype and monotype operators | 80 |
| Copy Holders, photo lithographers, photo engravers and workers in T and E section of newspapers | 90 |
| Monotype caster attendants, stereotypers and machine minders | 75 |
| Readers and revisers | 65 |
| Rotary machine minders and assistants | 100 |
| Others | 70 |

Radiographers

| | |
|---|-----|
| (a) where obliged to supply and launder their own white dresses etc. | 166 |
| (b) where obliged to supply their own white dresses etc. but laundered free | 97 |
| (c) where white dresses etc. are supplied and laundered free | 49 |

Schools (see teachers)**Sheet Metal Workers** (See Panel Beaters/Sheet Metal Workers)**Shipping**

| | |
|---|-----|
| (a) British Merchant Navy; | |
| Master, chief officer, chief engineer, chief-steward and other officers, including pursuers | 249 |
| Assistant steward | 191 |
| Carpenter | 152 |
| Other ranks | 115 |

| | |
|---|----------|
| Shipping (contd.) | £ |
| (b) Mercantile marine officers and crew of Irish ships; | |
| Master | 76 |
| Chief officer, chief engineer, radio officer | 69 |
| Other officers, including pursers | 56 |
| Chief steward | 56 |
| Assistant steward | 42 |
| Carpenter (to include tools) | 42 |
| Other ranks, including boys | 28 |
| Shop Assistants | 50 |
| (including supermarket staff, general shop workers, drapers and footwear assistants) | |
| Surveyors employed by: | |
| Local Authorities | 100 |
| Civil Service | 100 |
| Coillte | 100 |
| Teachers | |
| Teachers [excluding guidance counsellors, third level academic staff and physical education teachers | |
| below]. | (see |
| School principals | 325 |
| Other teachers (including part-time teachers on full hours) | 275 |
| Part-time teachers (not on full hours) | 150 |
| (a) employed full-time in second level schools | 275 |
| (b) engaged mainly in teaching general subjects but also doing part-time guidance counselling duties (additional allowance) | 75 |
| Third level academic staff | |
| Professors, heads of Schools/Departments | 325 |
| Other lecturers (including part-time lecturers on full hours) | 275 |
| Part-time lecturers (not on full hours) | 150 |
| Physical education teachers | |
| (a) fully engaged in teaching P.E. | 150 |
| (b) engaged in teaching general subjects as well as P.E. | * |
| * Expenses deductions to be apportioned on a time basis | |
| Universities (see teachers) | |
| Vehicle builders and repairers | |
| Builders (carpenters, wheelrights etc.) | 65 |
| Wagon etc. Builders and repairers (railway vehicles) | 65 |
| Wagon etc. Builders and repairer's assistants (railway vehicles) | 35 |
| Wagon lifters (railway vehicles) | 65 |
| Painters and letterers (railway vehicles) | 35 |
| Coach painters (including spraypainters) | 25 |
| Trimmers (upholsterers) | 25 |

Appendix II

Principal Inspector Responsibilities with effect from 10 November 1995

| Principal Inspector | Assignments | Telephone Number | |
|----------------------------|--|------------------|----------|
| <i>J.A. Browne</i> | Director of Technical Services II (IT, PAYE/PRSI). | (01)6716777 | ext. 226 |
| <i>P.C. O'Laoghaire</i> | Director of Technical Services I (CT, CGT, VAT and Anti-Avoidance). | (01)6716777 | ext. 225 |
| <i>Thomas M. Tuite</i> | Director of Compliance Policy. | (01)6716777 | ext. 340 |
| <i>Anthony K. Hanrahan</i> | Regional Director for DAD's 1-10 | (01)6716777 | ext. 250 |
| <i>Sean Breathnach</i> | Management of Promotion Competitions, Regional Director for Waterford, Wexford, Thurles, Kilkenny, Athlone. | (01)6716777 | ext. 205 |
| <i>Padraig O'Donghaile</i> | Director for IB, SEB | (01)6716777 | ext. 314 |
| <i>E. O'Coindealbhain</i> | Regional Director for Castlebar, Dundalk, Galway, Letterkenny, Sligo and Dublin Directors' District. | (01)6716777 | ext. 251 |
| <i>Mary Hughes</i> | Regional Director for Cork, Limerick, Tralee. | (01)6716777 | ext. 208 |
| <i>Padraig O'Morain</i> | Director of Audit Policy. | (01)6716777 | ext. 243 |
| <i>Art O'Connor</i> | Director of Personnel & Management Services. | (01)6716777 | ext. 206 |
| <i>Liam O'Laocha</i> | Regional Director for Dublin PAYE Districts & TCRO & CRIO. | (01)6716777 | ext. 222 |
| <i>P.J. Lynch</i> | Director of Customer Service Policy and Regional Director for Computer Branch, Dublin Tax District (IT), Dublin Tax District (CT) and Retirement Benefits District. | (01)6716777 | ext. 223 |

Appendix 111

Tax Briefing Index [Items of Current/Ongoing Relevance]

| Main Heading | Sub Heading | Issue | Reference |
|---------------------------------|--|------------|-----------------|
| Capital Acquisitions Tax | Advisory Service | 1 | 3.4 |
| | Business Relief | 16 | 7.1 |
| | Change in Rates | 2 | 5.4 |
| | Discretionary Trusts | 8, 15 | 3.2, 11.3 |
| | Finance Act '94-Main Changes | 15 | 11.1 |
| | Indexation | 6, 14, 17 | 4.2, 4.2, 7.1 |
| | Inland Revenue Affidavit (CA24) | 18 | 6.1 |
| | Probate Tax | 14, 15 | 4.2, 11.2 |
| | Return Form (IT38 S) | 18 | 6.2 |
| | Video | 1 | 3.4 |
| Capital Gains Tax | Development Land & Companies | 3,9 | 4.4, 3.2 |
| | Extent of Self Assessment | 5 | 2.2 |
| | ICI/ZENECA demerger | 17 | 4.1 |
| | Lloyds Cases | 19 | - |
| | Multipliers for 95/96 | 18 | Appendix 111 |
| | Principal Private Residence - absences | 12 | 3.4 |
| | Returns - General | 3,5 | 4.3, 2.1 |
| | Roll Over Relief | 12 | 3.2, 3.3 |
| | Self Assessment | 3,5,12 | 4.1,2.2,3.1 |
| Collector-General | Address for payments | 15 | 9.1 |
| | Automated Remittance Processing | 15,17 | 9.2, 5.1 |
| | Direct Debit - Payment of Tax | 9,11,12,18 | 7.2,5.2,6.5,4.1 |
| | Getting Payments Right | 1 | 5.2 |
| | GIRO - Payment of Tax | 9,11 | 7.1,5.1 |
| | Interest Pursuit Programme | 2,5,8 | 7.2,6.5,5.2 |
| | Intoxicating Liquor Licences | 8 | 5.1 |
| | Office Directory | 13 | 6.5 |
| | P35 Duplicates | 15 | 9.3 |
| | P35 Return by Diskette | 5 | 6.3 |
| | P35 Returns - New Format | 6 | 6.1 |
| | Special Payment Arrangements | 5 | 6.4 |
| | Tax Clearance Certificate - Single | 16 | 8.1 |
| | Tax Clearance Scheme | 4,12 | 5.1,6.2 |
| | Tax Payment Issues | 13 | 6.3 |
| | Taxpayer Service | 4 | 5.2 |
| | VAT Repayments | 13 | 6.2 |
| | VAT Returns - Completion of | 13 | 6.1 |
| | VAT Returns - New VAT 3 | 9,10,12 | 7.3,6.1,6.3 |
| | VAT Returns - Return of Trading | 12 | 6.4 |
| Corporation Tax | Accounting Date Change | 5 | 3.3 |
| | Accounts without Form CT1 | 3 | 3.1 |
| | Advance Corporation Tax | 1,4,6 | 2.3,2.2,2.3 |
| | Approved Buildings/Gardens - Relief for expenditure | 17 | 3.1 |
| | Automatic Remittances Processing | 15 | 9.2 |
| | Capital Allowances - Multi Storey Car Parks | 18 | 2.6 |
| | Capital Allowances - Video Tapes | 14 | 3.5 |
| | Change of Accounting Date | 5 | 3.3 |
| | Close/Service Co Surcharge | 2 | 4.1 |
| | Companies Act - Examiner Cases | 4 | 5.3 |
| | Companies Return Filing | 8 | 2.3 |
| Corporation Tax | Companies - New | 3 | 3.3 |
| | Company Return Compliance | 4 | 2.1 |
| | Deposit Interest | 9 | 2 |

| Main Heading | Sub Heading | Issue | Reference |
|--------------|--|----------|---------------|
| Directory | Directors Current/Loan A/C's | 6 | 2.2 |
| | Distributions from Manufacturing Profits | 14 | 3.3 |
| | Farmers - Stock Relief Time Limits | 15 | 7.1 |
| | Foreign Income Dividend (FID)'s | 18 | 3.1 |
| | Form CT1 - General Issue | 6 | 2.1 |
| | Form CT1 - Guidelines for Completion | 1,2,10 | 2.5,4.2,3.2 |
| | Form CT1 & Losses | 5 | 3.1 |
| | Form CT1 - Pages 4 & 5 | 7,8 | 3.1,2.1 |
| | Form CT1 - without Accounts | 3 | 3.1 |
| | Group/Consortium Relief - Form CT1 | 14 | 3.4 |
| | Insolvency - Agreed Practice | 15 | 6.2 |
| | Insurance Receipts & Manufacturing | 11 | 2.3 |
| | Interest on Overpayments | 3 | 3.6 |
| | Investment/Rental Companies & Records | 13 | 3.3 |
| | Keyman Insurance | 11 | 1.4 |
| | Liquidators & Tax Returns | 14 | 3.1 |
| | Loss Relief | 3 | 3.7 |
| | Loss Relief - Repayments Arising | 14 | 3.2 |
| | Losses & Form CT1 | 5 | 3.1 |
| | Manufacturing Distributions | 6,14 | 2.4,3.3 |
| | Manufacturing Relief | 4,10 | 2.3,3.2 |
| | Manufacturing Relief - Quarry Industry | 17 | 2.1 |
| | Manufacturing & Insurance Receipts | 11 | 2.3 |
| | Multi Storey Car Parks | 18 | 2.6 |
| | New Companies | 3 | 3.3 |
| | Obligation to make Return | 1 | 2.1 |
| | Payment Address | 1 | 2.4 |
| | Payment including ACT | 3 | 3.2 |
| | Preliminary Tax Payments | 1,10,11 | 2.2,3.1,2.1 |
| | Pre-Trading Interest | 14 | 2.2 |
| | Quarry Industry - Manufacturing Relief | 17 | 2.1 |
| | Remittance | 1 | 2.4 |
| | Rental/Investment Companies & Records | 13 | 3.3 |
| | Repayments | 5 | 3.2 |
| | Repayments arising from Loss Relief | 14 | 3.2 |
| | Restrictions of Claims to Relief | 13 | 3.1 |
| | Return - Guidelines (Form CT1) | 1 | 2.5 |
| | Returns - General | 8 | 2.3 |
| | Returns - Incomplete | 13,17 | 3.2,2.2 |
| | Returns - Late Submissions | 13,15 | 3.1,6.1 |
| | Returns - Liquidators | 14 | 3.1 |
| | Returns - Obligations | 1 | 2.1 |
| | Returns - Signature of | 8,17 | 2.2,3.2 |
| | Scientific Research | 18 | 2.5 |
| | Stock Lending/Repurchasing (REPO) Transactions | 17 | 3.3 |
| | Submissions requesting Agreement | 3 | 3.4 |
| | Surcharge - Close/Service Co | 2 | 4.1 |
| | Surcharge - Return not submitted | 3 | 3.5 |
| | Withholding Tax & Preliminary Tax | 16 | 2.1 |
| | Withholding Tax - Revised Procedures | 18 | 2.4 |
| | Collector General's Office | 13,15 | 6.5,9.1 |
| | Dublin PAYE Districts | 14 | Insert |
| | Dublin Tax Districts Guide (Non PAYE) | 10 | - |
| | Office of the Chief Inspector of Taxes | 1,14 | Chart, Insert |
| | Stamp Duty Office | 16 | 6.1 |
| | VAT Enquiries Dublin | 16 | 5.3 |
| General | Accelerated Allowances | 2,5 | 2.4, Chart |
| | Amnesty - CAT | 2,3,5 | 5.4,5.2,4.2 |
| | Amnesty - Tax Amnesty Scheme '93 | 11,12,13 | Front Page |
| | Appeals | 3 | 1.2 |
| | Capital Allowances Current Rates | 5 | - |

| Main Heading | Sub Heading | Issue | Reference |
|--------------|---|-------------------|-------------------|
| General | Central Revenue Information office | 10 | Front Page |
| | Complaints (Charter of Rights) | 9 | Front Page |
| | Computer - Enhanced Support | 16 | 1 |
| | Credit Union Divds./Interest earned | 15 | 2 |
| | Double Taxation Negotiations - Update | 11,13,14,15,17,18 | -, -, -, 12, 9, 7 |
| | Double Taxation Relief | 15 | 7.2 |
| | Estimates - Use of in Returns | 3 | 1.1 |
| | Exchange Rates Stg. to IR 91/92 | 7 | - |
| | Exchange Rates Stg. to IR 92/93 | 10 | - |
| | Exchange Rates Stg. to IR 93/94 | 14 | - |
| | Exchange Rates Stg. to IR 94/95 | 18 | Appendix IV |
| | Expression of Doubt | 13 | 1.1 |
| | Foreign Effective Rates | 15 | 7.2 |
| | Gifts for Education in the Arts | 18 | Appendix II |
| | GIRO Payment Facility | 5,8 | 6.2, 5.4 |
| | Guidelines - Contact with Revenue Offices | 12 | Insert |
| | Payment of Tax | 4, 8, 18 | 5.5, 5.4, 4.1 |
| | Registration Forms IT, CT, VAT, PAYE | 15 | Front Page |
| | Residence of Individuals | 15, 17 | 3, 1.3 |
| | Returns Estimates | 3 | 1.1 |
| | Returns of Third Party Information | 7, 12, 13, 15 | 1, 2, 1, 1.3, 1 |
| | Revenue Arrears Review Programme | 3 | Front Page |
| | Statements of Practice Update | 4 | - |
| | Statements of Practice - List | 2, 18 | -, Appendix 1 |
| | Sterling Exchange Rates 91/92 | 7 | - |
| | Sterling Exchange Rates 92/93 | 10 | - |
| | Sterling Exchange Rates 93/94 | 14 | - |
| | Sterling Exchange Rates 94/95 | 18 | Appendix IV |
| | TALC - Membership | 15 | Appendix II |
| | TALC - Sub-committee | 15 | Appendix III |
| | TALC - '93 Report Jan - June | 11 | - |
| | TALC - '94 Report Jan - June | 15 | Appendix I |
| | TALC - '94 Report July - Oct | 16 | Appendix I |
| | TALC - '94 Report Oct - Dec | 17 | Appendix I |
| | Tax Briefing Index [1-12] | 13 | Insert |
| | Taxes Central Registration Office | 10, 13 | Page 2, 1.2 |
| | Third Party Information | 7, 9, 12, 13, 15 | 1, 1.7, 2, 1.3, 1 |
| Income Tax | Approved Buildings/Gardens - Relief for expenditure | 17 | 3.1 |
| | Artists Exemption | 18 | 2.1 |
| | Assessments - 90/91 Survey | 5 | 1.1 |
| | Assessments - Notices/Amended Notices | 15 | 5.2 |
| | Audits - Verification | 8 | 1.2 |
| | Balancing Charge/Allowance | 2 | 2.3 |
| | Benefit in Kind - Cars | 6 | 1.3 |
| | Benefit in Kind - Loans to participators | 14 | 1.2 |
| | Benefit in Kind - Return by Employers (P11D) | 17 | 1.6 |
| | Capital Allowances - Farming | 4 | 1.6 |
| | Capital Allowances - Multi Storey Car Parks | 18 | 2.6 |
| | CEDP Projects | 13 | 2.4 |
| | Completion of Tax Returns | 9 | 1.3 |
| | Compliance - Return Filing | 7 | 2.4 |
| | Correspondence with Tax Offices | 1, 2, 12 | 1.5, 1.1, Insert |
| | Covenant Relief | 17, 18 | 1.1 & Chart, 2.3 |
| | Credit Unions | 16 | 3.2 |
| | Dental Treatments | 6 | 1.5 |
| | Dependant Relative - Health Expenses | 17 | 1.2 |
| | Deposit Interest | 15 | 4.3 |
| | Deposit Interest & Marginal Relief | 18 | 2.2 |
| | Deposit Interest & PRSI/Levies | 12 | 1.2 |
| | Disability/Occupational Injury Benefit | 10 | 2.1 |
| | Doctors - Geographical Wholetime Consultants | 10 | 2.5 |
| | Double Taxation Relief | 13 | 2.5 |
| | Expenses Allowance 93/94 (Flat Rate PAYE) | 10 | - |
| | Expenses Allowance 94/95 (Flat Rate PAYE) | 14 | - |

| Main Heading | Sub Heading | Issue | Reference |
|--------------|---|----------|-----------------|
| Income Tax | Export Sales/Shannon Dividends | 11 | 1.1 |
| | Expression of Doubt | 5 | 1.3 |
| | Farm Accounts & Form AG3 | 5 | 7.2 |
| | Farm Profile Form | 4 | 1.7 |
| | Farm Retirement Scheme | 16 | 3.3 |
| | Farming - Headage Payments | 6 | 1.4 |
| | Farming - Capital Allowances | 4 | 1.6 |
| | Farming - Death Cases | 9 | 1.4 |
| | Farming - Mulder Compensation | 14 | 1.3 |
| | Farming - Stock Reconciliation | 5 | 7.2 |
| | Farming - Stock Relief Clawback | 5,8,9 | 7.1,1.3,1.4 |
| | Farming - Stock Relief Time Limits | 15 | 7.1 |
| | Farming - Stock Relief & Current Year Basis | 3,10 | 8,2.6 |
| | Farming - Stock Valuation | 13 | 2.6 |
| | Foreign Income Dividend (FID)'s | 18 | 3.1 |
| | GMS, Pension Scheme Outlined | 3,5 | 2.3,1.4 |
| | GMS, Pension Scheme Relief | 4,6 | 1.4,1.7 |
| | Headage Payments - Farmers | 6 | 1.4 |
| | Health Expenses - Dental | 6 | 1.5 |
| | Health Expenses - Dependant Relative | 17 | 1.2 |
| | Income Levy (1%) | 12 | 1.1 |
| | Interest and Repayments | 4 | 1.2 |
| | Interest paid - Limits | 10 | 2.3 |
| | Interest Paid (Quoted Companies) | 7 | 2.2 |
| | Interest Relief - First Time Buyers | 15 | 4.2 |
| | Interest Relief - Mortgages | 4,10 | 1.5,2.4 |
| | Keyman Insurance | 11 | 1.4 |
| | Lloyds Cases | 19 | - |
| | Marginal relief & DIRT | 18 | 2.2 |
| | Married Couples - Taxation of | 13 | 2.2 |
| | Manufacturing Distributions | 6,14 | 2.4,3.3 |
| | Motor Mileage Allowance | 14 | 1.1 |
| | Multi Storey Car Parks | 18 | 2.6 |
| | Non-residents - Withholding Tax | 15 | 4.1 |
| | Penalties PAYE/PRSI Returns | 4 | 5.4 |
| | Personal Injury Compensation | 9 | 1.6 |
| | Preliminary Tax 93/94 | 15 | 5.1 |
| | Profit Sharing Schemes | 2 | 1.3 |
| | Prosecution - No Return | 6 | 1.8 |
| | Quoted Companies Int. Paid | 7 | 2.2 |
| | Rental Income & Capital Allowances | 9 | 1.5 |
| | Retirement Annuity Relief | 5,16 | 1.5,2.4 |
| | Returns - Approved Facsimile Forms 11 93/94 | 16 | 2.3 |
| | Returns - Completion Problems | 3,9,18 | 2.2,1.3,1.1 |
| | Returns - Compliance Procedures | 7 | 2.4 |
| | Returns - Early Filing | 3 | 2.1 |
| | Returns - Filing Requirements | 15 | 5.3 |
| | Returns - Guidelines on Completion | 1 | 1.4 |
| | Returns - Non liable Persons | 13,16 | 2.1,2.2 |
| | Returns - Signature of | 8,17 | 2.2,3.2 |
| | Revenue & Social Insurance (RSI) Number | 6 | 1.1 |
| | Scientific Research | 18 | 2.5 |
| | Section 23 Cut-off dates | 7 | - |
| | Share Option Schemes | 2 | 1.3 |
| | Stock Lending/Repurchasing (REPO) Trans. | 17 | 3.3 |
| | Sub-Contractors | 6 | 1.6 |
| | Surcharge for Late Returns | 2,6,18 | 1.2,1.2,1.2 |
| | Survey 90/91 Assessments | 5 | 1.1 |
| | Tax Offices - Correspondence with | 1,2,12 | 1.5,1.1, Insert |
| | Termination Payments - Charges | 11 | 1.3 |
| | Urban Renewal Schemes | 13,16,17 | 2.3,3.1,1.4.5 |
| | Withholding Tax Credit | 2,7 | 3.2,2.3 |
| | Withholding Tax Interim Refund | 2,8 | 3.3,1.1 |
| | Withholding Tax - Forms F45-1 | 8 | 1.1 |
| | Withholding Tax - Non Residents | 15 | 4.1 |

| Main Heading | Sub Heading | Issue | Reference |
|--------------------------|---|---------|---------------------|
| Income Tax | Withholding Tax & Preliminary Tax | 16 | 2.1 |
| | Withholding Tax - Revised Documentation | 18 | 2.4 |
| Residential Property Tax | Amnesty | 12 | 4.1 |
| | Certificate of Clearance | 11,15 | 3.1,10.1 |
| | Finance Act '94 - Changes | 15 | 10.1 |
| | Returns - Reminder | 8,13,17 | 3.1,4.1, Front Page |
| | Valuation & Limits '92 | 7,9 | 4.12,5.1 |
| | Valuation & Limits '93 | 10,11 | 4.1,3.1 |
| | Valuation & Limits '94 | 17 | Front Page |
| Revenue Audit | Audit & Taxpayer's Rights | 14 | Front Page |
| | Audits of Companies | 6 | 3.3 |
| | Captive Insurance Cos. in IFSC - Fund Accounting | 16 | 4.1 |
| | Debtors/Creditors, W-I-P in Professional Accounts | 16 | 4.2 |
| | Fees - Revenue Audit | 11 | 1.5 |
| | General | 5 | Front Page |
| | Initial Meeting | 6 | 3.1 |
| | Interest & Revenue Audits | 4 | 1.3 |
| | Practitioners Linking Papers | 14 | 2.1 |
| | Publication | 14 | 2.3 |
| | Random Audits | 6 | 3.4 |
| | Revenue Audit Programme | 10 | 1 |
| | Selection of Cases | 6 | 3.2 |
| | Self Assessment | 8 | 1.2 |
| | Verification Audits | 8 | 1.2 |
| | Voluntary Disclosure | 9,14 | 4.2,2 |
| | Work-in-Progress in Professional Accounts | 16 | 4.2 |
| Stamp Duty | Amnesty | 6 | 4.3 |
| | Amnesty & Levies Reminder | 7 | 4.2 |
| | Appeals | 15 | 10.2 |
| | Associate Companies Relief | 8 | 3.3 |
| | Building Land - New Procedures | 1 | 3.2 |
| | Change in Collection | 4 | 3.2 |
| | Changes Finance Act '91 | 3 | 5.1 |
| | Changes from 1. 01/09/90 | 1 | 3.2 |
| | Changes from 2. 01/11/91 | 4 | 3.2 |
| | Changes from 3. 01/02/92 | 7 | 4.2 |
| | Companies Capital Duty - New Form B5 | 11 | 3.2 |
| | Companies Capital Duty - Policy | 1 | 3.3 |
| | Cork Stamping Office | 2,3,7 | 5.5,4 |
| | Cork Adjudication Office | 5 | 4.3 |
| | Credit/Charge Cards | 14 | 4.1 |
| | Customer Service to Callers | 16 | 6.1 |
| | Disclaimer of Benefits | 9 | 5.2 |
| | Levies Abolished - Life Ins. | | |
| | Premium & Invst. in CIUs | 10 | 4.2 |
| | Levies for quarter ended 31/12/92 | 9 | 5.2 |
| | Levies for quarter ended 31/12/93 | 13 | 4.2 |
| | Levies for quarter ended 31/3/94 | 14 | 4.1 |
| | Lost Stamped Deeds | 18 | 5.2 |
| | Particulars Delivered | 15,18 | 10.2,5.1 |
| | Penalty for Late Payment | 5 | 4.3 |
| | Registered post - use suspended | 6 | 4.3 |
| | Shares in Private Companies | 17 | 6.1 |
| | Stamp Duty Guide | 13 | 4.2 |
| | Stamp Duty & VAT | 15 | 10.2 |
| | Stamping Procedures New | 2 | 5.2 |
| | Substitute Deeds | 18 | 5.2 |
| | Surcharges | 15 | 10.2 |
| | Woodlands Exemption | 9 | 5.2 |
| | Young Trained Farmers | 15,16 | 10.2,6.2 |

| Main Heading | Sub Heading | Issue | Reference |
|-----------------|---|---------|-------------|
| Value Added Tax | Accounting | 9 | 6.2 |
| | Advance Payment of VAT | 12,13 | 5.1,5 |
| | Advance Payment - Threshold | 16,17 | 5.2,8.2 |
| | Alcohol Products - VAT on | 12 | 5.4 |
| | Authorisations - Zero Rating | 14 | 5.2 |
| | Automated Entry Processing (AEP) | 3 | 6.1 |
| | Bottled Waters | 8 | 4.4 |
| | Budget '93 Changes in VAT Rates | 10 | 5.1 |
| | Cars | 16 | Front Page |
| | Cash Receipts Accounting | 8,15,16 | 4.2,8.1,5.1 |
| | Cash Receipts Basis extended | 14 | 5.1 |
| | Changes from 1. 01/03/91 | 2 | 6 |
| | Changes from 2. 01/01/92 | 4 | 4 |
| | Changes from 3. 28/05/92 | 7 | 5.1 |
| | Changes from 4. 01/07/92 | 7 | 5.2 |
| | Distance Sales | 9 | 6.2 |
| | Electronic Invoicing | 8,9 | 4.3,6.2 |
| | Enquiries - Dublin | 16 | 5.3 |
| | Exempt Coach Operators | 15 | 8.2 |
| | Farm Buildings & VAT - New Order | 12 | 5.3 |
| | Farmers Flat Rate | 6 | 5.2 |
| | Finance Act '93 Changes | 11 | 4.1 |
| | Form VAT4A - leasing of property | 18 | Front Page |
| | Horses & Greyhounds | 1 | 4 |
| | Immovable Property | 18 | Front Page |
| | Intra EC Acquisitions Postponed | | |
| | Accounting | 9 | 6.2 |
| | Intra EC Acquisitions (by Non-Taxable Entities) | 9 | 6.2 |
| | Intra-Community Goods Transport | 11 | 4.2 |
| | Jockeys | 3 | 6.2 |
| | Livestock | 6 | 5.3 |
| | Long Term Lease | 18 | Front Page |
| | Loss Adjusters subject to tax | 14 | 5.1 |
| | Margin Scheme - Secondhand goods | 17 | 8.1 |
| | Moneys Received Basis | 9 | 6.1,6.2 |
| | Monthly Control Statement | 8,9 | 4.1,6.2 |
| | Property Multipliers | 6,11 | 5.4,4.4 |
| | Refund Claims Guidelines | 2 | 7.4 |
| | Registration - Thresholds | 14 | 5.1 |
| | Regulations - Advance Payments | 13 | 5 |
| | Regulations - made during '92 | 10 | 5.2 |
| | Regulations - made during '94 | 17 | 8.3 |
| | Regulations - New Aircraft/Vessels | 12 | 5.2 |
| | Regulations - VAT 3 Returns/Trading Details | 12 | 5.2 |
| | Repayments - Telephone Nos. | 6 | 6.2 |
| | Secondhand goods - Margin Scheme | 17 | 8.1 |
| | Services - New | 4 | 4 |
| | Single Market - Fin. Inst., Ins., Trans., Passenger | 9 | 6.2 |
| | Single Market-General | 8 | - |
| | Single Market-Goods, Transport, etc. | 9 | 6.2 |
| | Single Market - VAT Returns/ VAT Numbers | 6 | 6.3 |
| | Telecommunication Services | 1 | 4 |
| | Touring Coaches | 11 | 4.3 |
| | Trading Details | 12 | 5.2 |
| | Veterinary Surgeons | 5 | 5.1 |
| | Zero Rate on Certain Food & Drink | 9 | 6.2 |
| | Zero Rates Sales to EC Member States | 9 | 6.2 |
| | Zero Rating - Authorisations | 14 | 5.2 |