

Capital gains tax – rate of charge (S.28)

Part 02-03-1A

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1.1 Subject to exceptions provided for in the Capital Gains Tax Acts the CGT rate is 33% for disposals on or after 6 December 2012.

1.2 The rates for disposals prior to 6 December 2012 are as follows:

- 30% for disposals between 7 December 2011 and 5 December 2012
- 25% for disposals between 8 April 2009 and 6 December 2011
- 22% for disposals between 15 October 2008 and 7 April 2009 and
- 20% for disposals between 3 December 1997 and 14 October 2008.

As with the current rate these are subject to exceptions.

Certain gains on the disposal, under CPO, of farmland for road-building, widening and related purposes are treated as accruing in the year of assessment in which the compensation is received. The applicable CGT rate is that which is in force when the disposal is made ([Tax Instruction 19.1.15 par 3](#)).

See **Appendix 1** for the rates applicable to disposals prior to 3 December 1997.

1.3 Gains arising on the disposal of certain offshore funds (**section 747A TCA 1997**) and certain foreign life assurance policies ([Tax Instruction 19.5.2 par 5](#)) are charged at 40%.

Certain gains accruing to venture fund managers are charged to CGT at 15% if received by a partnership and 12.5% if received by a company ([Tax Instruction 19.1.14B par1](#)).

For chargeable gains of life business see [Tax Instruction 26.00.02](#)

1.4 Please refer to [Tax Instruction 22.2.3](#) for the rates applicable to **development land** gains.

Appendix 1

<u>Period</u>	<u>Basic CGT Rate</u>
6/4/1974 - 5/4/1978	26%
6/4/1978 - 25/3/1982	30% ¹
26/3/1982 - 5/4/1986	40% ²
6/4/1986 - 5/4/1990	30% ³
6/4/1990 – 5/4/1992	30% ⁴
6/4/1992 – 2/12/1997	40% ⁵

¹ Tapering (reduced) rates applied in certain circumstances.

² Higher rates applied where the asset was owned for not more than 3 years.

³ Generally higher rates applied where the asset was owned for not more than 6 years.

⁴ As note 3.

⁵ For the period 6//4/1994 to 2/12/1997 a reduced rate applied to certain shares.