

[15.1.30] Seafarer allowance

Reviewed July 2015

Introduction

Section 472B of the Taxes Consolidation Act (TCA) 1997 provides for an allowance of €6,350 for certain seafarers which can be set against income from a qualifying employment i.e. the seafaring employment. The €6,350 allowance is granted as a deduction in arriving at taxable income. The deduction cannot be set against other income of the individual, or against the income of his or her spouse /civil partner. The relief is not standard rated and is available at the taxpayer's marginal rate of tax.

Definitions

'authorised officer' has the same meaning as in section 818 TCA 1997;

'employment' means an office or employment of profit such that any emoluments of the office or employment of profit are to be charged to tax under Schedule D or Schedule E;

'international voyage' means a voyage beginning or ending in a port outside the State;

'Member State' means a member state of the European Communities;

'Member State's Register' shall be construed in accordance with the Annex to the Official Journal of the European Communities (No. C205) of the 5th day of July, 1997;

'qualifying employment' means an employment, being an employment to which this section applies, the duties of which are performed wholly on board a sea-going ship on an international voyage;

'qualifying individual' means an individual who-

- (a) holds a qualifying employment, and
- (b) has entered into an agreement (known as 'articles of agreement') with the master of that ship;

'sea-going ship' means a ship which-

- (a) is registered in a Member State's Register, and
- (b) is used solely for the trade of carrying by sea passengers or cargo for reward,

but does not include a fishing vessel.

The Allowance

Where for a year of assessment an individual makes a claim for seafarer allowance the following conditions must be satisfied:

- the individual must be absent from the state for at least 161 days in a year of assessment in the performance of duties wholly performed aboard a sea-going ship on an international voyage. Any incidental duties not performed on board the ship are ignored,
- the ship must be an EU registered passenger ferry or freight carrying vessel,

As stated in the definitions above, an international voyage is a voyage beginning or ending in a port outside the State. For the purposes of the allowance, a port outside the state is deemed to include a mobile or fixed rig, platform or installation of any kind in any maritime area.

The allowance may also be claimed by crews of vessels servicing drilling rigs.

Absence from the State

An individual must be absent from the state for least 161 days in a year of assessment. An individual is considered absent from the State for a day if the individual is absent from the State at the end of the day.

The Remittance Basis of Assessment and Split-Year Treatment

An individual who claims the remittance basis of assessment or Split Year Treatment is not entitled to claim the Seafarer allowance.

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