

Guide to Completing 2016 Pay & File Self-Assessment Returns

This Guide is intended to deal with Pay and File obligations in general terms. As such, it does not attempt to cover every issue which may arise on the subject. It does not purport to be a legal interpretation of the statutory provisions and consequently, responsibility cannot be accepted for any liability incurred or loss suffered as a result of relying on any matter published in it.

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PART ONE

Who is this guide for?

The main purpose of this Guide is to assist individuals who are taxed under the self-assessment system to complete their 2016 Tax Return – the Form 11. For 2016, self-assessment taxpayers are required to complete the full Form 11 (either in paper format or via ROS (see page 6 of this guide), or, if all of the information relevant to them is contained in the shorter version Form 11S.

If you are not obliged to file your return of income (Form 11) electronically you will have received a paper Form 11.

Form 11S is the shorter version of the Form 11 Income Tax Return for self-assessed individuals. It is an extract of the main personal Tax Return form (Form 11). If however after reading the helpsheet that accompanied your Form 11S you find you are obliged to complete a Form 11, you can download it from **www.revenue.ie**.

PAYE customers completing Form 12 or Form 12S will find information in this Guide useful and should consult the Index to locate relevant topics.

About this Guide

This Guide is intended to deal with the Pay and File obligations of self-assessed individuals in general terms. As such, it does not attempt to cover every issue which may arise on the subject. It does not purport to be a legal interpretation of the statutory provisions and consequently, responsibility cannot be accepted for any liability incurred or loss suffered as a result of relying on any matter published in it.

If this Guide does not answer your questions you may contact your local Revenue office or consider seeking independent professional advice from a tax practitioner.

The layout of this Guide follows the layout of the Form 11. For data capture purposes each entry in the Form 11 and Form 11S is allocated its own Line number. For convenience this Guide uses these Line numbers for cross-reference between the Return Forms and the Guide. The Line numbers appear in bold print at the various headings throughout this Guide, e.g. **[1-2]** for lines 1 and 2.

- **Part 2** is a panel-by-panel commentary on the completion of the 2016 Form 11 Tax Returns,
- **Part 3** incorporates information charts and examples to assist self-assessment taxpayers in the calculation of their income tax liability for Pay and File purposes.

Expression of Doubt

The 2016 return provides a facility for a taxpayer to include an expression of doubt under Section 959P TCA 1997.

It is to indicate to Revenue a genuine doubt about the application of law or the treatment for tax purposes, of any matter contained in the return. You must have consulted all relevant Revenue leaflets and guidelines published on our website with a view to establishing the correct treatment of the point at issue.

The expression of doubt box is not for general comments and should be used only for the intended purpose.

The following information will be required to enable your expression of doubt to be examined.

- A full explanation of all facts and circumstances concerning the matter. Include appropriate background details and the supporting documents that are being submitted in relation to the matter.
- Highlight which aspect(s) of tax legislation is a matter of 'doubt' and why doubt exists.
- Detail the tax legislation, case law and / or statements of practice being relied upon.
- State the full value of the income / profits / gains / reliefs / deductions or losses at issue.
- State the tax impact arising from the tax treatment taken.

The return of income and documentation in support of the expression of doubt must be received on or before the return filing date.

- Revenue will examine your expression of doubt and will reply to you as to whether it is accepted as genuine or not.
- Where your expression of doubt is not accepted as genuine, you have a right of appeal to the Tax Appeal Commissioners within 30 days of notice of the decision in accordance with section 959P(8) TCA 1997.

Additional information

Part 41A.03.00 of the Income Tax, Capital Gains Tax and Corporation Tax Manual.

Accessibility

If you are a person with a disability and require this leaflet in an alternative format the Revenue Access Officer can be contacted at: **accessofficer@revenue.ie**

Revenue contact details

Revenue's Website address is: **www.revenue.ie**. Visit our website for more information on anything contained in this guide.

ROS Helpdesk

Information on ROS is available on our website. The ROS Helpdesk can be contacted at:

- roshelp@revenue.ie, or
- LoCall 1890 201 106 (ROI only), + 353 1 702 3021 (outside ROI).

Forms & Leaflets

Forms & Leaflets are available on Revenue's website or from Revenue's Forms & Leaflets Service by telephoning LoCall 1890 306 706 (ROI only) or +353 1 702 3050 (outside ROI).

Revenue On-Line Service (ROS)

ROS, which is available 24/7, 365 days a year, is a quick and easy way to:

- file your tax return/accounts information,
- pay your tax liability,
- securely access your Revenue account,
- receive immediate acknowledgement of transactions,
- instantly and accurately calculate your income tax liability, and,
- aids the making of a self assessment.

Using ROS you can select three payment methods - ROS Debit Instruction, Online Banking or debit/credit card. You can e-file your Return early and select a payment date of your choosing up to the filing date. Revenue guarantees that only amounts specified by you or your agent will be taken from your account.

Taxpayers: If you wish to view your own personal tax details or if you wish to file your tax returns on-line you must first register for ROS.

Agents: If you are a tax agent and require access to view the records or file returns on behalf of your clients via ROS you must also apply to become a customer. To ensure that your client list is up to date please contact the relevant Revenue office.

In order to become a ROS customer you must visit our website and complete the following three steps:

Step 1: **Apply for your ROS Access Number (RAN).** *When you successfully apply to become a ROS customer, a letter will be issued to you with your personal ROS access number. This number will enable you to proceed.*

Step 2: **Apply for your Digital Certificate**

Step 3: **Retrieve your Digital Certificate**

For more information, including how to register for ROS, visit our website or contact the ROS Helpdesk.

Mandatory electronic filing and payment of Income Tax

IMPORTANT NOTICE

Mandatory electronic payments and filing, using ROS, is part of Revenue's strategy to establish the use of electronic channels as the normal way of conducting tax business.

Full details of categories of taxpayers who are mandatory e-filers, in addition to the full list of relevant exemptions and reliefs, are available on our website. If you are planning on filing a paper Return of Income you should review the website to ensure you are not within one of the categories of mandatory e-filers.

If you are an individual who falls into any of the above categories, you must file electronically, even if you have received a paper Return of Income from us.

Remember, even if you are not a mandatory e-filer, ROS is a fast, efficient and secure way to file your return and pay your tax.

General guidance on completing a tax return

- You should be careful and accurate when completing the form.
- What is written in the form will appear in the assessment.
- What is omitted from the form will not appear in the assessment.
- Include all your income on the form (this includes PAYE income and tax deducted).
- Enter the annual amount of the income, not weekly or fortnightly amounts.
- Enter euro amounts only - no foreign currency amounts.
- Any panel(s) or section(s) that do not require an entry should be left blank.
- Do not enter terms such as 'per attached', 'as before', etc. You must instead enter the requested information.
- Incomplete Returns will be sent back to you for proper completion and you may incur a surcharge (see page 9 / 10) if the corrected Return is submitted late.
- The self assessment panel of the form 11 / 11S must be completed. Please refer to page 59 regarding early filers.

General guidance on completing a paper tax return

- Use BLUE ink; use CAPITAL LETTERS and write clearly and accurately within boxes.
- Make entries in designated entry fields only; figures or short notes on the body of the form are inappropriate.
- Do not enclose any attachments, unless specifically requested in the form.

Introduction to self-assessment

For a more complete guide to self-assessment, individuals should refer to Income Tax Leaflet **IT10**.

Who should file a self-assessment tax return?

Typically, a person who is self-employed and/or with non-PAYE income such as rental income or investment income which is not taxed through the PAYE system is required to file a self-assessment tax return.

Married Couples and Civil Partners

Married couples and civil partners are obliged to submit only one Income Tax Return showing the income of both spouses or both civil partners unless they have made a formal election to have their tax affairs dealt with separately. Please refer to Income Tax Leaflet **IT2** on our website for more information.

Self-Assessment and Pay and File

Self-assessment taxpayers are subject to the Pay and File system.

Under Pay and File you must, by 31 October 2017:

- File your 2016 Income Tax Return,
- Make a self-assessment for the year 2016,
- Pay any balance of income tax outstanding for 2016,
- Pay your Preliminary Income Tax for 2017.

Calculating your own tax liability

You must complete a self-assessment as part of the annual return of income. This is your judgement of your liability for the year.

The notes throughout this Guide and the calculation information in Part 2 of this Guide may be of assistance to you.

If you wish to file a paper return and you file it on or before 31 August 2017, Revenue will calculate your tax liability for you. This will assist you in paying the correct amount by the due date, 31 October. If you file a paper return after 31 August you will have to do your own calculations.

Better still, if you file on ROS you have access to an instant calculation of your liability any time up to the Pay and File deadline on 31 October.

4-Year Limit on Tax Repayment Claims (Section 865 TCA 1997)

Revenue wishes to remind customers that Section 865 TCA 1997 imposes a general 4-year time limit on claims for repayment of tax and that claims for repayment for the year ended 31 December 2013 must be received by Revenue no later than 31 December 2017.

Attachments to Returns

You should not submit any supporting documentation with your Return except where expressly asked to do so.

Instead, it must be retained for six years as it may be requested by Revenue for the purpose of an assurance check or an audit.

Remember:

- You must prepare business accounts but you should not submit them with your 2016 Return.
- Instead you are required to complete the 'Extract from Accounts' panels of the Return.
- Do not submit lists or schedules with the Return. The totals should be entered on the Return.

Surcharge for Late Returns

You must return the completed 2016 Tax Return on or before 31 October 2017. If your Return is late a 'late-filing' surcharge will apply. This surcharge, which, is added on to your

tax due, is:

- 5% of the tax due or €12,695, whichever is the lesser, where the Return is submitted after 31 October 2017 and on or before 31 December 2017,
- 10% of the tax due or €63,485, whichever is the lesser, where the Return is submitted after 31 December 2017.

If you file this return on time, but at the date of filing, you have failed to;

- submit your Local Property Tax (LPT) return, or
- pay the LPT due, or
- enter into an agreed payment arrangement,

a surcharge should be added to the final liability. Therefore, the amount payable in your Self-Assessment should be increased by 10%.

Where the LPT is subsequently brought up to date, the amount of the surcharge will be capped at the amount of the LPT liability involved.

Audit / Penalties

Self-assessment Returns are subject to Audit by Revenue. Tax law provides that Revenue may make any inquiries or take such actions as are considered necessary to verify the accuracy of a Return.

Tax law provides for both civil penalties and criminal sanctions for;

- failure to make a return,
- making of a false return,
- facilitating the making of a false return, or,
- claiming tax credits, allowances or reliefs which are not due.

In the event of a criminal prosecution, a person convicted on indictment of an offence may be liable to a fine not exceeding €126,970 and / or to a fine of up to double the difference between the declared tax due and the tax ultimately found to be due and/or to imprisonment.

CODE OF PRACTICE

It is a fundamental principle of Self-Assessment tax systems that returns filed by compliant taxpayers are accepted as the basis for computing tax liabilities. Revenue promotes compliance with the tax system by vigorous pursuit of those who do not file returns, by auditing, investigating or making enquiries into selected returns and by taking appropriate action against tax evaders. Revenue challenges aggressive tax avoidance schemes and unintended use of legislation that may threaten tax yields and the perceived fairness of the tax system.

Revenue's programme of compliance interventions aims to minimise the burden on the compliant taxpayer and tackle, in a thorough and effective way, the non-compliant taxpayer. Revenue Compliance Interventions are conducted in an efficient, effective and courteous manner. Revenue Auditors adopt an even-handed and professional approach in speech and behaviour during the compliance process. Further details are available in the 'Code of Practice for Revenue Audit and other Compliance Interventions' which is published on **www.revenue.ie**

PART TWO

Panel A - Personal Details [1 - 22]

This panel is where you enter your personal details, such as civil status and date of birth. It is important that you complete each section that is relevant to you or you may not get your full entitlement of reliefs and credits. Insert in the appropriate boxes in the panel and give the details requested. The amounts of the personal tax credits are set out in **Table B** on page 64 of this Guide.

Are you completing this Return on behalf of a deceased individual? [1]

If you are completing this return on behalf of a deceased individual enter the date of death. Note: in the case of a married person or civil partner, only complete this section where the deceased was the assessable spouse or nominated civil partner in the period to which this return refers. Revenue will contact you regarding any outstanding matters. When signing the Return on page one, it is important to state your capacity as signatory, e.g. executor, administrator, etc.

Personal Circumstances [2 - 3]

Indicate clearly your personal circumstances for 2016, **Line 2(a) – (i)**. Do not complete **Line 3** unless your personal circumstances **changed** in 2016.

Basis of Assessment [4]

Only complete **Line 4** if you were married or in a civil partnership before 1/1/2016 or if married but living apart and wholly maintaining your spouse or if in a civil partnership but living apart and wholly maintaining your civil partner.

Increased Exemption for Dependent Children [5]

If you, your spouse or civil partner are aged 65 or over at any time in the year 2016 and your income is below the relevant exemption limits, you will not have to pay income tax for 2016, see Exemption Limits, **Note 3(a)**, on page 60 of this Guide. However, you may still have a liability to USC and / or PRSI.

If you have dependent children, you are entitled to an increase* in the exemption limit of €575 for each of the first two dependent children and €830 for each subsequent dependent child. A dependent child is regarded as any child under 18 years and any child over 18 years who is going to school or college full-time or is in training as an apprentice.

***Note:** This increase in the general exemption operates for the purposes of calculating the exemption limit for taxpayers aged 65 or over with low levels of income. It is not a general tax credit / allowance for all taxpayers.

If your income slightly exceeds the exemption amount, you may be entitled to marginal relief. See Marginal Relief, **Note 3(b)** on page 61 of this Guide.

Widowed Person or Surviving Civil Partner with Dependent Child Tax Credit [6]

You can claim this tax credit at the standard rate (20%) for 2016 if you became a widow or a surviving civil partner in a year prior to 2016 and have a dependent child residing with you (see Single Person Child Carer Credit on page 48 - 49). The tax credit is:

Year of bereavement	Tax Credit 2016
2015	€3,600
2014	€3,150
2013	€2,700
2012	€2,250
2011	€1,800

Your Date of Birth [7]

It is important to enter your date of birth as certain reliefs, allowances or tax credits are age related, for example if you reach the age of 65 during the year of assessment you are entitled to Age Tax Credit. You claim this by entering your date of birth at **Line 7** [in the case of a spouse or civil partner at **Line 9(b)**]. Also in the case of RACs and PRSAs, the maximum amount of relief due to you depends on your age.

Limitation on the use of Reliefs by High Income Individuals [8]

Insert in the relevant box(es) to indicate for 2016 if you, your spouse or civil partner are subject to the Limitation on the use of Reliefs by High Income Individuals (i.e. under Part 15 of Chapter 2A TCA 1997). If either you, your spouse or civil partner are so subject, Form RR1 2016 should be completed and also **Panel J** of the return.

Spouse's or Civil Partner's Details [9]

If married or in a civil partnership enter your spouse's or civil partner's PPS number and date of birth. If your spouse or civil partner has no PPS number enter your spouse's pre-marriage surname, first name(s) and date of birth or civil partner's surname, first name(s) and date of birth.

Permanently Incapacitated [10]

If you, your spouse or civil partner are permanently incapacitated by reason of mental or physical infirmity from maintaining yourselves, insert in the relevant box. This is important as you may be due a refund of Deposit Interest Retention Tax (DIRT). See note for Irish Deposit Interest, **Line 403** on page 35 of this Guide.

Medical Card [12]

If you, your spouse or civil partner hold a 'full' medical card issued by the Health Service Executive (HSE), insert in the relevant box. 'Doctor only' medical cards (GP visit cards) are not 'full' medical cards and the box should be left blank where the individual holds such card.

Entitled to an Exemption from PRSI [13]

See **Note 4** on page 61 of this Guide for details of who is entitled to exemption from PRSI.

Entitled to an Exemption from Universal Social Charge [14]

See **Note 5** on page 62 of this Guide for further details on Universal Social Charge.

Residence status for the year 2016 [16 - 21]

In general, individuals who are resident in the State are taxable on their world-wide income.

Liability to income tax and entitlement to personal tax credits, reliefs and / or allowances is dependent on your residence status. The following table sets out, depending on an individual's tax residence status, the extent of that individual's liability to Irish tax.

Your residence status for Irish tax purposes is determined by the number of days you are present in the State. For 2009 and following years a day is one on which the individual is present in the State at any time during the day. You will be regarded as resident in the State in the year 2016 if you spent: -

- ◆ **183 days** or more in the State, for any purpose, between 1 January 2016 and 31 December 2016, or
- ◆ **280 days** or more in the State combining the number of days spent in the State in that year (1 January 2016 to 31 December 2016) together with the number of days spent in the State the preceding year 2015 (1 January 2015 to 31 December 2015). However, this test will not apply to make you resident if you spent **30 days** or less in the State in either year.

An individual is ordinarily resident once they have been resident in the State for the previous three tax years.

An individual who has been ordinarily resident in the State ceases to be ordinarily resident at the end of the third consecutive year in which they are not resident.

Domicile is a complex legal concept. It may, broadly, be interpreted as meaning permanent home in a particular country with the intention of residing permanently in that country. An individual acquires a domicile of origin on their birth. Whilst each individual has a domicile, that domicile may or may not be the country in which he or she is tax resident.

Extent of Liability to Income Tax

1. Resident and domiciled in the State, regardless of ordinarily resident status.

Taxable in the State on worldwide income.

2. Resident and not domiciled in the State, regardless of ordinarily resident status.

Taxable in the State on worldwide income subject to the remittance basis of taxation as regards certain sources of foreign income (see Remittances below).

3. Ordinarily resident, domiciled but not resident in the State.

Taxable in the State on worldwide income. However, the income of such an individual from the following sources are not within the charge to Irish tax:

- Income from a trade or profession no part of which is carried on in the State;
- Income from non-public office and non-public employment the duties of which are exercised wholly outside the State;
- Other non-Irish source income provided that it does not exceed €3,810 in the tax year on which it arises.

4. Ordinarily resident, not resident and not domiciled in the State.

Taxable in the State on his or her worldwide income subject to the remittance basis of taxation as regards certain sources of foreign income (see Remittances below). However, the income of such an individual from the following sources are exempt from Irish tax:

- Income from a trade or profession no part of which is carried on in the State;
- Income from non-public office and non-public employment the duties of which are exercised wholly outside the State;
- Other non-Irish source income provided that it does not exceed €3,810 in the tax year on which it arises.

5. Not resident or ordinarily resident in the State, regardless of domicile status.

Taxable on Irish sourced income in full and on the income attributable to the carrying on of a trade, profession or employment in the State.

Note 1

While the table above outlines your income tax treatment under Irish domestic legislation, you should be aware that the provisions of a **Double Taxation Agreement** will generally take precedence over domestic legislative provisions and may result in a different tax treatment in certain circumstances.

Remittances: The Remittance Basis of Taxation [17]

The remittance basis means that, for the individuals who are not Irish domiciled the amount of the foreign sourced income liable to income tax here under Case III of Schedule D is confined to the amount that is remitted to, or brought into, the State in the year of assessment.

The remittance basis of taxation does not apply in respect of the income from a foreign office or employment attributable to the duties of that office or employment exercised in the State. Such income is taxable in full whether or not remitted.

Enter the remitted income in Panel E, where the source of the income is listed, e.g. if the income remitted was out of Foreign Rents, the remitted amount should be entered at Line 315.

Claim under Section 1032(2) TCA 1997 [20]

A non-resident individual is not due any tax credits or reliefs except as provided for in Section 1032(2) TCA 1997. This section allows a non-resident individual to claim a portion of the personal tax credits and reliefs calculated as follows:

Personal tax credits/reliefs x $\frac{\text{income chargeable to Irish Income Tax}}{\text{total world income (this includes income chargeable to Irish tax)}}$

To claim a portion of the personal tax credits / reliefs enter your total world income at **line 20(b)**.

Non-Resident Married Persons or Civil Partners [21]

Where either or both spouses or civil partners are non-resident, they are both taxed as single individuals unless the income of both spouses or civil partners is fully chargeable to Irish tax.

The most common type of case in this category is that of an assessable spouse or nominated civil partner who is a cross-border worker or who is working in this country on temporary assignment. In such cases, where Revenue is satisfied that the other spouse or civil partner has no income and the assessable spouse's or nominated civil partner's earnings are the only source of income, aggregation basis will be applied.

Where the total income is chargeable to Irish tax insert in the box at **Line 21** in the return.

Mandatory Disclosure [22]

Disclosable transactions must be disclosed to Revenue under the Mandatory Disclosure regime and allocated a Transaction Number which must be included on the relevant tax returns.

Any transaction entered into which falls within one of the hallmarks of the Mandatory Disclosure regime, for example, where it involves a discretionary trust which enables or might enable a person to obtain a tax advantage, and where obtaining that tax advantage was one of the main benefits of entering into the transaction, is a disclosable transaction. Guidance on the Mandatory regime is available on www.revenue.ie

Panel B - Income from Trades, Professions or Vocations (Including Farming & Partnership Income) [101 - 157]

If you are self-employed, you should show your self-employed income and give the other details requested in **Panel B** of the Return. You should **not** attach your self-employed business accounts but instead you must complete the Extracts From Accounts pages on the Return - see **Extracts From Accounts**.

If you have three or more sources of self-employed income enter the two main sources in the **Primary Trade** and **Trade 2** columns and enter an aggregate of the remaining sources in **Trade 3** column. However, trades for self and spouse or civil partner should be kept separate. The *Extracts From Accounts* pages should reflect this approach.

Cessation of source income [104]

If any of your sources of income ceased in 2016 complete **Line 104** as appropriate.

Profit Assessable in 2016

This is the amount on which you are assessed for tax. Generally, you are assessable on the adjusted net profit for a twelve month accounting period ending in the year 2016 - e.g. if accounts are normally prepared for a year ending on 30 June, then the assessable profits for 2016 will be the profits of the year ended 30 June 2016.

You must enter the assessable amount at **Line 108**, even if this is the same as the adjusted net profit per **Line 107(a)**. In some circumstances the amount at **Line 108** may be different to the amount entered at **Line 107(a)**, (for example at commencement, or cessation, of trade).

If a loss is made, the amount of the adjusted net loss should be entered at **Line 107(b)** and 0.00 entered at **Line 107(a)**.

Income assessable under Section 98A(4) Taxes Consolidation Act 1997 means income in a situation involving a trade or profession, from a Reverse Premium, i.e. a payment / benefit received where an individual is granted an interest in, or a right in or over, land. This income must be included on this panel and not under Irish Rental Income - Panel C if the income arises in a situation involving a trade or profession.

Note: Profits from Stallion Fees and Greyhound Stud Fees are assessable with effect from the 1 August 2008 and should be included in the total figure entered at **Line 107(a)**.

Start Your Own Business Relief [109]

The **Start Your Own Business** scheme provides for relief from Income Tax for long term unemployed individuals who start a new business. The scheme will provide an exemption from Income Tax up to a maximum of €40,000 per annum for a period of 24 months to individuals who set up a qualifying business, having been unemployed for a period of at least 12 months prior to starting the business.

Extracts From Accounts [121 - 157]

The Extracts From Accounts pages should be completed in all cases where you have trading or professional income, except in the following limited circumstances:

- ◆ If you have already submitted accounts information relating to the 2016 Tax Return with an earlier Return state the Income Tax Return with which the accounts information was submitted, [123],
- ◆ Individual partners are not required to complete the Extracts From Accounts pages in their personal Return. The Partnership files this information in the Partnership Tax Return - Form 1 (Firms). Enter the relevant Partnership(s) tax reference at **Line 124**.

The details to be given at numbers **121 - 157** of the Return are extracts from your accounts and are **not** a tax adjustment computation / calculation. When completing these Extracts you may have nothing to enter under some headings, as that section may not apply to you. You must, however, complete each section that is relevant and for which you have an entry in your accounts. Depending on how your accounts are prepared, it may be necessary to aggregate some figures to arrive at a figure to be included in the Extracts From Accounts pages. For example, at **Line 133** of the Return you would have to aggregate the total of 'Motor, Travel and Subsistence' if these are shown separately in your accounts.

You should not submit any supporting documentation with your Return except where expressly asked to. However, it is important to remember that the requirement to complete *Extracts From Accounts* in no way affects the necessity to prepare proper accounts or the manner in which accounts should be prepared for tax purposes, i.e. for tax purposes, accounts have to be prepared in accordance with the ordinary rules and conventions of commercial accounting. The accounts, like any other documents in support of the Return, should be retained for **six** years in case they are required by Revenue for the purpose of an assurance check or an audit.

The completion of the three columns of the extract from accounts section should follow the approach adopted for the trading profits.

The following are some additional guidance notes on the individual items requested on the *Extracts From Accounts* on the Return.

The *Extracts From Accounts* section must be completed in all cases where you, your spouse or civil partner are in receipt of income from a trade (including farming), profession or vocation except in the limited circumstances identified on the Return (Lines 123 - 124).

Income [125 - 127]

- 125. Sales / Receipts / Turnover** - this is gross trading income receivable excluding Government payments included at **126** below.
- 126. Receipts from Government Agencies (GMS, etc.)** - this includes payments by Government Departments, e.g. GMS payments, Free Legal Aid payments, Department of Agriculture Food and Marine payments, etc.
- 127. Other Income including Tax Exempt Income** - include here any other income, including tax exempt income, that you normally include with your accounts. Do not include income which should be taxed under a separate heading, (e.g. rental income, dividends, interest, etc.). This should be returned in the appropriate panel of the Return.

Trading Account Items [128 - 129]

- 128. Purchases** - these are materials or purchases for resale purchased during the accounting period.
- 129. Gross Trading Profits** - this is the gross profit of your business after adjusting for opening and closing stocks and input costs.

Expenses and Deductions [130 - 137]

- 130. Salaries / Wages, Staff Costs** - this includes all staff remuneration (taxed and untaxed), staff training, redundancy payments, PRSI, pensions, etc. The owner's wages should not be included but should be input in 'Drawings', see **139**.
- 131. Sub-Contractors** - this relates to building, meat-processing and forestry businesses. Sub-Contractors are those defined by Section 531 TCA 1997.
- 132. Consultancy, Professional Fees** - include audit, accountancy, legal, architect, auctioneer, surveyor, etc.

- 133. **Motor, Travel and Subsistence** - include fuel, tax, servicing, repairs, insurance, travel and subsistence reimbursed to staff including motor expenses, country money, etc.
- 134. **Repairs / Renewals** - these are costs incurred in the maintenance and upkeep of the business property and the running maintenance and upkeep of the business equipment and machinery. Enhancements or improvements to property are not maintenance and, as capital, should be added back in the **Adjusted Profit Computation**.
- 135. **Depreciation, Goodwill / Capital write-off** - depreciation relates to business assets provided for during the accounting period. It should be added back in the **Adjusted Profit Computation**. Goodwill / Capital write-off relates to any write-off of the value of assets during the accounting period. It should also be added back in the **Adjusted Profit Computation**.
- 136. (a) **Provisions including Bad Debts** - do not include provision for depreciation.
(b) If the balance is reduced, state the amount of the reduction.
- 137. **Other Expenses (Total)** - this is the total of all other expenses included in your **Profit and Loss Account** and not listed above.

Capital Account and Balance Sheet Items [138 - 149]

- 138. **Cash / Capital introduced** - this includes inheritances, windfalls, policies cashed, salary, etc.
- 139. **Drawings (Net of Tax and Pension Contributions)** - all funds drawn from the business by the proprietor including wages, goods for own use, private expenses paid through the business, etc. but excluding tax paid and any pension payments made.
- 140. (a) **Closing Capital Balance** - this is the closing balance on the capital account after accounting for drawings, capital introduced and the profit or loss for the accounting period.
(b) If the balance is negative, state the amount.
- 141. **Stock, Work in Progress, Finished goods** - this is the value of stocks, etc. as at the end of the accounting period.
- 142. **Debtors and Prepayments** - this is the figure for closing debtors and prepayments at the end of the accounting period.
- 143. **Cash / Bank (Debit)** - this is cash on hand or in a bank. It should include all deposit accounts, savings accounts, current accounts, Credit Union accounts, Building Society accounts, etc.
- 144. **Bank / Loans / Overdraft (Credit)** - these are borrowings at the end of the accounting period.
- 145. **Client Account Balances (Debit)** - these are funds held on behalf of clients.
- 146. **Client Account Balances (Credit)** - these are amounts due to clients.
- 147. **Creditors and Accruals** - this is the figure for closing creditors and accruals at the end of the accounting period.
- 148. **Tax Creditors** - VAT, PAYE, Income Tax, Relevant Contracts Tax, Capital Gains Tax, etc. owing.
- 149. (a) **Net Assets** - these are fixed and current assets less liabilities at the end of the accounting period.
(b) If the balance is negative, state the amount.

Extracts from Adjusted Net Profit / Loss Computation [150 - 157]

Profit / Loss per Accounts [150 - 151]

- 150. **Net Profit per accounts** - excluding exempt income and related expenses.
- 151. **Net Loss per accounts** - excluding exempt income and related expenses.

Adjustments made to Profit / Loss per Accounts [152 - 157]

- 152. **Motor Expenses** - add back Private element.
- 153. **Donations (Political and Charitable) / Entertainment** - political and charitable donations, and non-staff entertainment expenses are not allowable and should be added back.
- 154. **Light, Heat and Phone** - add back Private element.
- 155. **Net Gain on Sale of Fixed / Chargeable Assets** - a profit on the sale of assets included in the **Profit & Loss Account** should be deducted in the **Adjusted Profit Computation**.
- 156. **Net Loss on Sale of Fixed / Chargeable Assets** - a loss on the sale of assets included in the **Profit and**

Loss Account should be added back in the **Adjusted Profit Computation**.

157. Enter the amount of **Stock Relief** claimed.

Losses

Any **unused trading losses** from a prior year should be entered at **Line 117** of the Return. Such losses can **only** be set against the profits of the same trade arising in the current accounting period, (Section 382 TCA 1997). The amount of the loss is restricted to the amount of the income for that trade in the year 2016.

Example 1	Trading Profit	€12,000
	Loss Forward	€ 5,000
	Net Profit Assessable	€ 7,000

Example 2	Trading Profit	€12,000
	Loss Forward	€15,000
	Loss c/f to 2017	€ 3,000

Where you wish to **elect** to set **any trading loss incurred in the current accounting period** against other income of the current tax year you should enter the loss at **Line 116** of the Return.

Such a loss may be increased by Capital Allowances of the current year - see Excess Capital Allowances, page 20 of this Guide. If you wish to claim this relief, you should enter the relevant amount at **Line 116** of the Return. Alternatively, such excess capital allowances will be carried forward and set against future trading profits of the same trade.

Capital Allowances for the year 2016 [112 - 113]

Capital Allowances

Capital allowances are available for capital expenditure on certain types of business assets and for certain types of business premises. Wear and Tear allowances are available for assets such as plant, machinery and motor vehicles where the asset is in use for trade purposes at the end of the chargeable period. Industrial buildings writing down allowances are available for certain types of business premises such as factories, hotels and nursing homes (see Section 268 TCA 1997 for details) that are in use for trade purposes and in respect of which you had the relevant freehold or leasehold interest when the capital expenditure was incurred.

The heading 'Other' at **Line 115** is for items such as:

- ◆ Milk quotas,
- ◆ Dredging,
- ◆ Mine development,
- ◆ Petroleum development / exploration,
- ◆ Patent rights,
- ◆ Scientific research and know-how.

Note: Vehicles are to be included in the heading '**Machinery and Plant**'.

The capital allowances are deducted from your profit figure before you are taxed on it. Where allowances cannot be used in the current year you can carry them forward against future profits from the same trade. Wear and Tear allowances and industrial buildings writing down allowances are generally calculated on a straight line basis on the net cost. However, Wear and Tear allowances for taxis and short-term hire cars are calculated on a reducing balance basis. The net cost is the cost after deducting any grants or VAT that can be reclaimed. The rate at which the capital allowances can be claimed depends on when the expenditure was incurred or when the building was constructed.

Where you are claiming relief under a property based incentive scheme you must give details in Panel N of the Return. See notes for Panel N on pages 57 and 58 of this Guide.

Remember: The Plant and Machinery / Buildings must be in use at the end of your accounting year ending in 2016. If the Plant or Machinery / Buildings were sold or otherwise disposed of in this accounting year you are not entitled to Capital Allowances as set out on page 18. However, you may have a Balancing Allowance or Balancing Charge - see pages 20 / 21 of this Guide for details.

Immediately below and in the following three pages are details of Wear and Tear rates, calculation sheets, tables and examples to assist you in calculating Capital Allowances, Industrial Buildings and Farm Buildings Allowance, Excess Capital Allowances, Balancing Allowances and Balancing Charges.

The rate of Wear and Tear differs depending on when the item of Plant or Machinery (P & M) was purchased.

A. Expenditure incurred on or after 4 December 2002

With effect from 4 December 2002 the allowance is 12.5% per year over 8 years.

B. Capital Allowances on a Reducing Balance Basis – Taxis

To arrive at the opening Written Down Value for the year 2016, for taxis (and cars for short-term hire), you will have to compute Wear and Tear (W&T) and Written Down Value (WDV) over the life of the vehicle from the original date of purchase to the year 2016.

The example shown on the right sets out the Wear and Tear allowance figure for each year of claim and the Written Down Value for the end of each tax year. The figures are based on a taxi valued at €28,000 purchased on 10 October 2008.

Asset		Taxi
Rate of W & T		40%
Acquisition Cost		
W & T year 1	-	
Written Down Value end of year 1	=	
W & T year 2	-	
Written Down Value end of year 2	=	
W & T year 3	-	
Written Down Value end of year 3	=	
W & T year 4	-	
Written Down Value end of year 4	=	
W & T year 5	-	
Written Down Value end of year 5	=	
W & T year 6	-	
Written Down Value end of year 6	=	

Example :

W & T to be allowed in year of claim

Asset	Value (€)
Rate of W & T	40%
Acquisition Cost	28,000
W & T 2012	11,200
WDV 31/12/12	16,800
W & T 2013	6,720
WDV 31/12/13	10,080
W & T 2014	4,032
WDV 31/12/14	6,048
W & T 2015	2,420
WDV 31/12/15	3,628
W & T 2016	1,452
WDV 31/12/16	2,176

Capital allowances due for 2016

Total of A + B = €

C. Capital Allowances on a Straight Line Basis – Private Motor Cars

For private motor cars purchased on or after 4 December 2002 the Capital Allowance is calculated at 12.5% per annum over 8 years (subject to transitional arrangements). Where expenditure was incurred on the provision of a car before 1 July 2008 and where the actual cost of the car exceeded a specified limit, Wear and Tear allowances were based on the relevant specified limit. For expenditure incurred **on or after 1 July 2008**, the allowable expenditure for Wear and Tear allowances is determined by the car's level of CO₂ emissions. The amount of W&T is also restricted to the percentage of business usage.

What is the 'relevant specified limit' for cars purchased after 31 Dec 2001?

The Wear and Tear allowances are given on the lower of the actual cost or a specified limit. The specified limits (for both new and second-hand cars) are set out in the following table.

Date expenditure incurred	Cost Limit
	New & Second Hand Cars
1 January 2002 to 31 December 2005	€22,000
1 January 2006 to 31 December 2006	€23,000
1 January 2007 to 31 December 2016	€24,000

Cars Purchased on or after 1 July 2008 (CO₂ emissions regime)

Wear and tear allowances for cars purchased on or after 1 July 2008 are determined by reference to the car's CO₂ emissions. Cars, both new and second-hand, are categorised by reference to the bands of CO₂ emissions that are used to determine Vehicle Registration Tax (VRT). Details are set out in the table below.

Group	VRT Category	CO ₂ Emissions (grams per km)	Allowable Expenditure €
1	A	0 – 120	24,000
	B	121 – 140	
	C	141 – 155	
2	D	156 – 170	50% of 24,000 or, if lower 50% of actual cost
	E	171 – 190	
3	F	191 – 225	Nil
	G	more than 225	

D. Industrial Buildings / Farm Buildings

Industrial Buildings

Qualifying Expenditure incurred since 1/4/1992

cost, net of grant and
reclaimable VAT @ 4% =

€

Farm Buildings

Qualifying Expenditure incurred on or after 27/1/1994

cost, net of grant and
reclaimable VAT @ 15% =

€

Total Industrial Buildings / Farm Buildings

Capital allowances due for 2016

Total of A + B + C =

Add: Balancing Allowance:

Capital Allowances due for year 2016

Excess Capital Allowances

Relief for Capital Allowances of the current year may be obtained even if there is a trading loss or if the trading profits are less than the Capital Allowances, (Section 392 TCA 1997). To claim this relief enter the relevant amount at **Line 116** of the Return (by entering the amount of the Capital Allowance here you are making an election for this relief).

Example 1	Trading loss	€10,000
	Capital Allowances	<u>€ 2,000</u>
	Overall loss	€12,000

Example 2	Trading profit	€ 2,000
	Capital Allowances	<u>€10,000</u>
	Overall loss	€ 8,000

Losses in the trade, made in the current year, can be set against other income in the year of assessment. If you wish to **elect** to make such a claim enter the amount of the loss at **Line 116** of the Return (Section 381 TCA 1997).

Balancing Allowance and Balancing Charge

If the item of Machinery / Plant or Motor Vehicle ceases to belong to the claimant or to be used for the purposes of the trade, you cannot claim a Wear and Tear allowance on that item for that year.

If you sold the asset for a sum less than its Written Down Value at the beginning of the year, you may claim a **balancing allowance** equal to the difference between the two amounts.

If, however, you sold the asset for a sum greater than the Written Down Value, a balancing charge arises. The excess is treated as an additional amount of income, but this balancing charge cannot exceed the amount of the capital allowance actually given, on the item sold, in previous years.

An adjustment may be necessary in respect of motor cars where the maximum cost limits were applied. Refer to page 21 of this Guide, which deals with this situation.

Examples:

Balancing Allowance

Machinery is sold during the year for €1,500. The Written Down Value at the start of that year was €1,800. A Wear and Tear allowance cannot be claimed for that year. Instead, a Balancing Allowance of €300 can be claimed.

Balancing Charge

Machinery is sold during the year for €3,000. The Written Down Value at the start of the year was €2,000. A Wear and Tear allowance cannot be claimed for that year. Instead a Balancing Charge of €1,000 arises and tax must be accounted for on this amount as if it were a profit.

A Balancing Charge will not arise where the sale, insurance, salvage or compensation proceeds in respect of machinery or plant is less than €2,000. However, this will not apply in respect of the sale or other disposal of the machinery or plant to a connected person.

Balancing Allowance / Balancing Charge on Motor Cars

If you sell a car which cost more than the maximum cost limits, set out on page 19 of this Guide, you must restrict any sale proceeds proportionately when calculating any Balancing Allowance or Balancing Charge. You must also restrict the Balancing Allowance or Balancing Charge to take account of non-business use.

Example

A car with CO₂ emission levels of 140g/km (Category B) cost €26,000 in 2012. However, only €24,000 of this amount qualifies for Capital Allowances in accordance with the table on page 19 of this Guide. 2/3 of the use of the car was business use.

The car is sold in 2016 for €22,000.

Capital Allowance computation is:

		Business Use $\frac{2}{3}$
Deemed Cost Price 2013	€24,000	
Wear & Tear 2013 €24,000 @ 12.5%	<u>€ 3,000</u>	€2,000
Tax Written Down Value 31/12/2014	€21,000	
Wear & Tear 2014 €24,000 @ 12.5%	<u>€ 3,000</u>	€2,000
Tax Written Down Value 31/12/2015	€18,000	
Deemed Sale price	€22,000 x $\frac{\text{€24,000}}{\text{€26,000}}$	€20,308
Balancing Charge	(€ 2,308)	(€1,539)

As the sale price, restricted on the same basis as the original cost price, is higher than the Written Down Value, a balancing charge of €1,539 arises for 2016.

Losses [116]

Any losses which are incurred in the course of a trade which is carried on in a 'non-active capacity' during the year of assessment may be set off against other income in that year of assessment up to a limit of €31,750. An individual will be considered to carry on a trade in a non-active capacity during a year of assessment if the individual does not work for the greater part of his or her time on the day to day management or conduct of the trade. Where you wish to elect to make such a claim, the amount of the relevant loss should be entered at Line 116 of the Return. Any amount in excess of the limit can be carried forward for use against the profits of the same trade in future years

Terminal Loss Relief [118]

Cessation of trade in 2016

If you ceased trading in 2016 you may claim terminal loss relief. The amount of the loss and the amount of the unused capital allowances for the 12 months prior to the date of cessation should be entered where requested. Relief will be given in your 2015, 2014 and / or 2013 assessment as due.

Cessation of trade in 2017 or subsequent years

If you cease trading in 2017 (or in a later year) and at the time you are completing this return you know the amount of terminal loss relief due, you can claim this relief by entering the amount of loss relief available for 2016 in the appropriate field and enter the date of cessation of trade. Note however, that it is not possible to claim this relief until after the end of the year of assessment (generally by way of amending your form 11).

Review of Income Tax Year 2015

If you wish to review the accounting period 2015, due to your accounting period being changed or if you have ceased trading in 2016, please contact your Revenue office with the required details

Credit for Professional Services Withholding Tax (PSWT) [119]

Credit may be claimed in 2016 in respect of gross withholding tax deducted (before any interim refund) in the year 2016. If your accounting period ends on a date **other than 31 December**, credit for withholding tax is given by reference to the gross withholding tax deducted (before any interim refund) during the accounting period (i.e. the basis period for 2016).

Panel C – Irish Rental Income [201 –215]

Rental Income from Land and Property in the State [201 - 215]

This includes income receivable from rents, premiums, easements and income from advertising hoardings. [Income from foreign property should be shown at **Lines 315(a) - (g)**]. Do not include any amounts proper to **Line 414(a)** in this panel unless you are electing to have income from the letting of a room (or rooms) in your sole or main residence as residential accommodation to be treated as rental income.

You must have a separate computation of the surplus or deficiency in respect of each separate rent and the total receipts from easements. You can calculate the surplus or deficiency in the manner below for each lease, rental or easement to which you are entitled. The figure that is arrived at and transferred to this section of the Return is the total of all surpluses as reduced by the total of all deficiencies. However, any surplus or deficiency from an uneconomic letting, excluded by Section 75(4) TCA 1997, must be ignored. Also, one spouse or civil partner may not offset their deficiency against the other spouse's or civil partner's surplus. The computation of the surplus (or deficiency) in respect of each rent, i.e. of the rent arising from each separate lease or tenancy agreement, is made by taking the full amount of rent receivable in 2016 and by deducting the outgoings in respect of that rent to the extent authorised by Section 97(2) TCA 1997.

To assist you in completing the entries in this section of the Return, a sample template follows.

Sample template of Taxable Rental Income

Gross Rent Receivable		€	
Expenses:			
Maintenance	€		
Repairs	€		
Interest *	€		
Insurance	€		
Costs incurred in the management of the property	€		
Rent / Ground Rent	€		
Light and Heat			
'Section 23' Relief where 2016 is the first year of claim*	€		
Other (the above is not an exhaustive list)	€		
Total allowable expenses	€		
Amount of income after expenses but before Capital Allowances		€	

**In the case of residential property, there is a cap of 75% on the amount of interest that can be deducted.*

Capital allowances attributable to a rental property to be allowed in 2016 in accordance with Section 305(1)(a) TCA 1997 take priority over relief for unused rental losses being brought forward from earlier years of assessment.

Where you are claiming relief under a property based incentive scheme at Line 205(c) you must insert in the box at Line 201 and give details in Panel N of the Return. See notes for Panel N on pages 57 and 58 of this Guide.

* Where 2016 is the first year the relief is due (i.e. it is the first year the 'Section 23' property was let under a qualifying lease) enter the relief under 'Expenses' where it asks - 'Section 23' type relief where 2016 is the first year of claim, **[205(c)]**.

Unused 'Section 23' relief is not claimed as 'Section 23' relief but as an unused loss from a prior year. Enter at **Line 214**.

Example:

Qualifying property let 2015 ('Section 23' relief of €150,000 due)

Gross rent 2015	€ 4,000	
Less Expenses:		
Insurance	400	
Section 23 relief (1st year of claim)	150,000	
	<u>150,400</u>	
Rental loss 2015	€146,400	
Gross rent 2016	€ 13,000	[Line 204]
Less Expenses:		
Insurance	600	[Line 205(d)]
Net rental income 2016	€12,400	[Line 206]
Deduct:		
Losses from a prior year (from 2015)	<u>146,400</u>	[Line 214]
Losses forward to 2017 tax year	€134,000	

'Section 23' Relief Clawback

A property which is granted 'Section 23 Relief' should be let for a period of ten years from the date of the first letting under a qualifying lease. If the property is sold, ceases to be let, or otherwise ceases to qualify within the ten-year period, there will be a claw-back of the relief granted. Where a property on which 'Section 23' relief has been claimed, was sold or ceases to qualify during 2016 and this is within the ten-year period, the clawback will be equal to an amount expressed by the formula—

A – B,

where A is the amount of relief originally given on the property, and B is the amount of any unused relief in respect of that property which has been carried forward under Section 384 into 2016. The amount of the clawback should be included as 'Gross Rent Receivable' at **Line 204** on the Return.

Residential Tenancies Act 2004 [202] / [205(b)]

Entitlement to a deduction for interest paid on borrowed money employed in the purchase, improvement or repair of rented residential premises is conditional on compliance with the registration requirements of the Residential Tenancies Act 2004 in respect of all tenancies, which existed in relation to residential premises in the year 2016.

All queries relating to the registration requirements / process should be directed to the **Residential Tenancies Board** - see www.rtb.ie for contact details.

Rental Capital Allowances**Fixtures and Fittings**

Fixtures and fittings can qualify for Plant and Machinery Capital Allowances at the rates shown on page 18 of this Guide. If these capital allowances exceed the rental income, the unused portion can only be brought forward and set off against rental income arising in future years.

Capital Allowances in Respect of Buildings [212 - 213]

In general, Capital Allowances are available on the cost of construction / refurbishment of Industrial Buildings within the meaning of Section 268 TCA 1997 and in respect of the cost of construction / refurbishment of Industrial and Commercial buildings in designated areas. If you are unsure as to whether you are due Capital Allowances in respect of rental property owned by you, you should contact your local Revenue office.

If you wish to **elect**, under Section 305(1)(b) TCA 1997, to offset any excess of current year Capital Allowances in respect of qualifying buildings, enter the appropriate amount(s) at **Line 213(a)** and / or **Line 213(b)**. Certain Capital Allowances are not available for offset against other income, i.e. they are 'ring fenced' so that relief can only be given against rental income from that property and other Irish rental income, **[213]**.

Where you wish to elect to have excess current year Capital Allowances in respect of buildings offset against other income enter the amount in the appropriate box and note that:

- ◆ Section 409A TCA 1997 restricts the Capital Allowances available for offset against other income to €31,750, **[213(a)]**,
- ◆ The ceiling of €31,750, under Section 409A TCA 1997, does not apply to certain properties, such as investments made by individuals including a passive investor in three star or better hotels in the counties of Cavan, Donegal, Leitrim, Mayo, Monaghan, Roscommon and Sligo, other than in seaside resorts of those counties, **[213(b)]**.

Note: Termination of carry forward of certain unused capital allowances for passive investors (Part 12, Chapter 4A).

This applies to the various accelerated property and area-based capital allowance schemes for persons who are not actively engaged in their respective trades.

With effect from 1 January 2015 any unused accelerated capital allowances which are carried forward beyond the tax life of the building or structure to which they relate are immediately lost. This essentially means that if the tax life has ended at any time up to the end of 2014, then the unused allowances are lost in 2015. Where the tax life is due to end later than 2014, then the allowances are lost going into the following year.

Living City Initiative is a scheme of property tax incentives designed to regenerate both historic buildings and other buildings in specified cities. The scheme applies to certain 'special regeneration areas' (SRAs) in the centres of Dublin, Cork, Limerick, Galway, Waterford and Kilkenny. These areas have been designated for the purposes of the scheme by Order of the Minister for Finance. The maps and boundaries of these SRAs can be found on the websites of the respective local authorities. More detailed information is available at www.revenue.ie.

Non-resident Landlord **[215]**

If you, your spouse or civil partner are a non-resident landlord and rent is paid directly to you, your spouse's or civil partner's bank account (either in the State or abroad), your tenant(s) should have deducted tax at the standard rate of tax (currently 20%) from the gross rents payable in accordance with Section 1034 TCA 1997.

To claim a credit for this tax, you must obtain a form R185 from the tenant; this form confirms that the tenant has deducted the tax and forwarded it to Revenue. Enter the required information at **Lines 215(a)** and **215(b)**. Do not submit the form R185 with the return but you must retain it for a period of six years, in case evidence of tax deducted is required in the course of an audit or verification check.

Note: You can only claim a credit for tax actually deducted and for which you have a completed form R185 from the tenant.

Panel D - Income from Irish Employments, Offices (Including Directorships), Pensions, etc. Income from Foreign Offices or Employments attributable to the Duties of those Offices and Employments Exercised in the State **[216 - 244]**

Employment / Pension details **[216 - 219]**

Complete this section for each employment and / or pension. If there is more than one employment / pension, two or more rows must be completed.

If the details are the same for two or more employments (for example the salary and pension is paid by the same company or individual) you should record each entry on a separate line.

The employer's / pension providers PAYE registered number can be found on your P60 / P45.

Irish Employment(s) / Directorships **[219(a) - 219(b)]**

Show the source(s) and gross income from Irish employments / offices and non-Proprietary Directorships at **Line 219(a)** and Proprietary Directorships at **Line 219(b)**. Tax deducted from gross income at all employments / offices and directorships should be entered at **Line 220** as an aggregate total.

The income figure from the Forms P60 and P45 will show the salary plus the amount of any taxable benefits paid during the year and the PAYE tax deducted from the salary.

Income proper to **Line 219(e)** should **not** be included here.

Foreign Employments subject to PAYE [219(c)]

This section refers to income (including any amount in the form of expenses payments received or benefits-in-kind derived) from foreign employment(s) in so far as that income relates to the performance in the State of duties of the employment. Such income is chargeable to tax under Schedule E on the full amount arising and subject to deduction of tax under PAYE.

If the duties of the employment are performed partially in the State and partially outside the State the gross income should be apportioned accordingly. Only enter income attributable to the performance **in** the State of such employment at **Line 219(a) or 219(c)** as applicable. Income attributable to the performance **outside** the State should be entered at **Line 308**.

Public Sector Employees – Class B, C or D PRSI [219(e)]

This section refers to the salaries of public sector employees, e.g. civil servants, nurses, teachers, etc. where PRSI was paid under Class B, C or D. Salaries of other public sector employees (other than certain Public Sector employments, see **Line 219(e)**) should be entered at **Line 219(a)**.

Certain Public Sector employments [219(f)]

This section refers to Members of the Judiciary and Members of the Oireachtas. Salaries of public sector employees, e.g. civil servants, nurses, teachers, etc. where PRSI was paid under Class B, C or D should be entered at **Line 219(e)**. Salaries of all other public sector employees should be entered at **Line 219(a)**.

Income in lieu of Social Welfare Payments [219(g)]

Examples include Community Employment Scheme, Back to Education Initiative (BTEI) payments, Vocational Training Opportunities Scheme (VTOS), Farm Retirement Pensions, Jobbridge, etc.

For a full list of Social Welfare-like payments, see Appendix A at 'Universal Social Charge - Frequently Asked Questions' on our website.

Irish Pensions received [219(h) - (k) & 235]

Early Farm Retirement Pension (subject to PAYE)

Enter the gross amount of payment(s) received under Early Farm Retirement Pension scheme. Tax deducted from gross payment(s) should be entered at **Line 220** as an aggregate total.

Employment Pension (subject to PAYE)

Enter the gross pension(s) received. Tax deducted from gross pension(s) should be entered at **Line 220** as an aggregate total, **[219(i)]**.

Employment Pension (not subject to PAYE)

Enter the gross employment pension(s) received **[235]**.

'Annuity' pension payable under an RAC or a PRSA [219(j)]

For income tax purposes annuities payable under an RAC or a PRSA are treated in the same manner as a pension and chargeable to tax under Schedule E (PAYE is operated on these annuities). Other annuities, such as Purchased Life Annuities are chargeable to tax under Schedule D; these annuities should be entered at either **Line 402** or **407**, depending on whether tax was deducted at source from the payment.

RAC / PRSAs are excepted emoluments and are not chargeable to PRSI in their own right and are viewed by the Department of Social Protection as payments received by way of pension.

Withdrawal of funds from AVC [219(k)]

Section 782A TCA 1997 provides members of occupational pension schemes with a three-year window of opportunity from 27 March 2013 (i.e. the date of passing of the Finance Act 2013) during which they can opt to draw down, on a once-off basis, up to 30% of the accumulated value of certain additional voluntary contributions (AVCs).

For the purpose of the section, AVCs include additional voluntary PRSA contributions made to AVC PRSAs.

Where AVCs are subject to a pension adjustment order, both parties to the order may exercise the option independently in respect of their respective 'share' of the AVCs.

Amounts transferred to scheme members in accordance with Section 782A are taxed at source by the administrator as Schedule E emoluments under PAYE, but are not liable to USC (Section 531AM TCA 1997) or PRSI.

Distributions from Approved Retirement Funds, Approved Minimum Retirement Funds & PRSAs (Part 30 Chapters 2, 2A & 4) [219(l) to (n)]

This section deals with distributions (including deemed, or imputed, distributions) from ARFs, AMRFs and vested PRSAs. It does not deal with pensions or annuities. If you have not, or are not deemed to have, received a distribution from any of these pension investment funds in 2016 you can ignore this section.

All distributions from these funds are chargeable to income tax under Schedule E and the provisions of Chapter 4 of Part 42 apply. Tax should be deducted by the PRSA administrator in the case of a vested PRSA, the qualifying fund manager in the case of an ARF / AMRF, or a nominee, if you have appointed one, in the case of deemed distributions from an ARF or vested PRSA. You may not receive a P60 at the end of the year of assessment but you should receive a statement showing the amount received, or deemed to have been received, from the fund or funds in the year and any tax paid.

This income is liable at the marginal (highest) rate in the same manner as other PAYE income.

The Universal Social Charge is payable at the relevant rate and should be applied at the time of payment.

The employee tax credit is granted against this income.

PAYE Tax deducted / refunded [220, 229 - 230]

Enter the details of tax deducted under PAYE as shown on Form(s) P60 (if you were still employed on 31 December 2016) or Form(s) P45 (if employment(s) ceased prior to 31 December 2016), [220]. You should have received Form P60 or Form P45 from your employer(s) after the end of the tax year or on cessation of employment respectively. The figure to be included should be the aggregate total of tax deducted from source(s) at **Lines 219(a) - (c), (e) - (f), (h) - (i), and (l) - (n)**.

Enter the total amount of PAYE tax refunded by Revenue for 2016, if any, e.g. PAYE tax refunded on submission of Form Med 1, a refund in respect of an unemployment repayment claim, a refund in respect of qualifying Tuition Fees, etc. [229].

Enter the amount of tax underpaid in a previous year(s), if any, and which was coded for collection by reducing your tax credits and standard rate band during the year 2016, [230].

Universal Social Charge (USC) [221 - 223, 231]

Employment and pension income that is subject to PAYE must be entered twice in this return. The amount that is liable to income tax is returned at **lines 221 - 223, 231** as appropriate and the amount liable to USC is entered at **line 221**.

The figures required here are available from the 2016 P60(s) / P45(S). Note that the amount required is the sum of all income from all sources where USC was deducted [or deductible] by the employer or pension provider. If there was a refund of USC made to you between 1st January 2016 and 31 December 2016, by the Revenue Commissioners that relates to the year of assessment 2016, this should be returned here. **Note:** 'refunds' made through your payroll should not be entered here.

Does the P60 for this employment indicate there were 53 pay days in 2016? [225]

This will not necessarily be the same for all employments. You must check each P60 / P45 to see if it applies to employment or pension. If the check-box is not ticked in the P60 / P45 leave this blank.

Special Assignee Relief Programme SARP Section 825C [226]

This section provides for income tax relief to an employee who is assigned by his or her relevant employer to work in the State for that employer or for an associated company in the State of that relevant employer. An employee arriving in the State in 2012, 2013 or 2014 must have worked for the relevant employer, for a minimum period of 12 months prior to arrival in the State. A relevant employer is a company that is incorporated and tax resident in a country with which the State has a double taxation agreement or a tax information exchange agreement. For an employee who arrives in 2015, 2016 or 2017, the 12 month minimum period is reduced to six months. Where certain conditions are satisfied, an employee can make a claim to have a proportion of his or her earnings from the employment with the relevant employer or with an associated company disregarded for income tax purposes.

For the years 2012, 2013 and 2014, the proportion is determined as 30% of the employee's income between €75,000 (lower threshold) and €500,000 (upper threshold). For 2015, and subsequent years, the proportion is determined as 30% of an employee's income over €75,000. Therefore employees who qualified under SARP in 2012, 2013 and 2014 and who continue to qualify after 2014 are entitled to have their relief for 2015 and subsequent years calculated without reference to an upper threshold.

The relief can be claimed by an individual who:

- (a) arrives in the State (Ireland) in any of the tax years 2012 to 2017, at the request of his or her relevant employer to perform, in the State, duties of his or her employment for that employer or to take up employment in the State with an associated company of that relevant employer and to perform duties in the State for that company;
- (b) immediately before being assigned to work in the State, worked outside the State for a minimum period of six months (12 months for employees who were assigned in 2012, 2013 or 2014) for the relevant employer (i.e. a company located in a country with which the State has a double taxation agreement or tax information exchange agreement) who assigned him or her to work in the State;
- (c) performs duties referred to in (a) above for a minimum period of 12 consecutive months from the date he or she first performs those duties in the State;
- (d) was not tax resident in the State for the five tax years immediately preceding the year of his or her arrival in the State to take up employment here;
- (e) for all tax years for which the relief is claimed, is tax resident in the State.
Note: For each of the tax years 2012, 2013, and 2014, an individual must be tax resident in the State and not also tax resident elsewhere.
- (f) earns a minimum basic salary of €75,000 per annum excluding all bonuses, commissions or other similar payments, benefits, or share based remuneration.

In addition to the above conditions, in order for an individual arriving in the State in any of the years 2015, 2016 or 2017 to be treated as a 'relevant employee', the individual's relevant employer or the associated company must certify, within 30 days of the employee's arrival in the State to perform duties of his / her employment in the State, that the individual complies with the conditions referred to in (a), (b) and (c) above. Depending on the year the relevant employee arrives in the State, certification must be done on a Form SARP 1 or SARP 1A which is available on our website.

Relief for key employees engaged in research and development activities [227]

This relief allows key employees engaged in research and development ('R&D') activities avail of the R&D tax credit to which their employer company is entitled and which it surrendered in favour of such key employees. Where the R&D tax credit is to be used by key employees, the key employees can use it only as a credit against income tax charged on their income from the employment with that employer.

A key employee cannot avail of this credit if the effective rate of income tax on their income (including the income of their spouse or civil partner) for the tax year of claim is less than 23%. However, where, before claiming the credit, the employees effective rate of income tax is more than 23%, they can claim the credit to the extent that it reduces the effective rate of tax on their total income to not less than 23%.

Other Benefits

Employee / director fails to make good to employer tax due on benefits

Where an employee / director fails to make good to the employer the whole or part of a shortfall in PAYE deductions that the employer has paid in respect of a taxable benefit, the employee / director is treated as receiving a taxable benefit for the following tax year, equal to the amount not made good. That benefit is treated as arising on 31 March of the following year.

Where the tax is reimbursed by the employee / director to the employer by 31 March, **a taxable benefit will not be** regarded as arising to the employee / director.

Where the employee / director ceases employment before the relevant 31 March, the amount of the tax not made good to the employer should be returned, **[233(b)]**.

Income from Irish employment not subjected to PAYE [232]

This section refers to Irish employment income which has not been taxed under the PAYE system. A salary from which no PAYE tax was deducted only because of the level of income should be entered at **Line 219(a) & (b)**. Give details of any sum (not returned elsewhere on the Return) received by you, or by anyone connected with you, in the year 2016 from an employer as a result of:

- ◆ The commencement of an office or employment,
- ◆ The termination of an office or employment,

- ◆ Any change in its functions or emoluments,
- ◆ The commutation of annual or periodic payments,
- ◆ Consideration for entering into restrictive covenants,
- ◆ Any other matter related to an office or employment.

Taxable Benefits (not taxed at source under PAYE) [233]

Typically, **Benefits-in-Kind** include the making available of an asset by an employer to an employee or director and / or their families for non-business use – examples include cars / vans provided for private use, personal loans provided on favourable terms, private accommodation, etc.

Most Benefits-in-Kind are now taxed **at source**, however, a small number of benefits shown below are not and should be returned.

Allowable Deductions incurred in Employment [236]

Depending on the nature of your employment you may be entitled to expenses against your income. 'Flat rate' expenses are approved by Revenue in relation to certain employments / occupations. A full list can be found at www.revenue.ie. If you qualify for flat rate expenses confirm the nature of your employment, **[236(a)]**.

Where a flat rate expense does not apply, a claim in respect of un-reimbursed expenses incurred wholly, exclusively and necessarily in the performance of the duties of an office / employment may be made, **[236(b)]**.

Superannuation Contributions (including AVC's) should be shown only if they have not already been deducted in arriving at the figure for earnings shown in the Return, i.e. enter only if a net pay arrangement did not apply to these contributions. AVC payment(s) made to an occupational pension scheme but not through a net pay arrangement should be entered at **Line 236(c)**.

If expenses of using your car are necessarily incurred in carrying out the duties of your office or employment, you may be entitled to claim an allowance for Wear and Tear of the car (in addition to the running expenses) which should be given under 'Expenses', **Line 236(b)**. Refer to pages 18 and 19 of this Guide for assistance in calculating this allowance. **Note:** Expenditure incurred travelling to / from work cannot be claimed.

The Wear and Tear allowance must be restricted for cars costing more than the relevant car cost limits (see page 19 of this Guide for car cost limits), **[236(d)]**.

FED Deduction for income earned in certain foreign states [237]

Relief from taxation may be claimed on a proportion of income earned by individuals who are resident in the State but who spend significant amounts of time working in a relevant state. The relief applies for the years of assessment 2012 to 2017 and does not apply to Universal Social Charge or PRSI.

Relevant state means Brazil, China, India, Russia and South Africa;

And with effect from 1 January 2013:

Algeria, Democratic Republic of Congo, Egypt, Ghana, Kenya, Nigeria, Senegal and Tanzania.

and with effect from 1 January 2015:

Bahrain, Chile, Indonesia, Japan, Kuwait, Malaysia, Mexico, Oman, Qatar, Republic of Korea, Saudi Arabia, Singapore, Thailand, United Arab Emirates and Vietnam.

The relief is granted on foot of a claim from a taxpayer who is resident in the State by providing a proportional tax deduction (the specified amount) based on the number of qualifying days worked in the relevant states.

For the years 2012 to 2014 the claimant must have worked at least 60 qualifying days in a twelve month period, part of which is in the year to which the claim relates. For the years 2015 to 2016 the number of qualifying days is 40. The maximum that can be deducted in any tax year is €35,000.

For more information see leaflet **Foreign Earnings Deduction - IT34** on Revenue's website.

PRSAs

A contribution to a PRSA paid by an employer on behalf of an employee / director is a taxable benefit in the employee's / director's hands. However, the employee / director can claim tax relief in respect of the employer contributions as if they had paid the contributions, subject to the income and age-related limits.

Note: An amount entered in **Line 233(a)** must also be included at **Line 508(c)** on page 20 of the Return. Any amount(s) at **Lines 508(c), 508(d), 508(e) and 508(f)** are to be added and the total entered at **Line 510** to allow appropriate relief for PRSAs to be granted.

Social Welfare Payments, Benefits or Pensions received [238 - 239]

In general, income from the Department of Social Protection is taxable.

Social Welfare pensions include a basic amount plus an increase where the claimant has an adult dependent. Enter the total amount (i.e. basic amount plus adult dependent increase):

- ◆ In the 'Self' column where your spouse or civil partner is the dependent for social welfare purposes. In this case you are due the employee tax credit, [239].
- ◆ In the 'Spouse or Civil Partner' column where you are the dependent for social welfare purposes. In this case your spouse or civil partner is due the employee tax credit, [239].

You should enter the amount of the income received, subject to the following provisions:

- ◆ The **first €13 per week** of Jobseekers Benefit is exempt from tax and should **not** be included, [239].
- ◆ The **child benefit** elements of Illness Benefit and Jobseekers Benefit are exempt from tax and should not be included, [239].
- ◆ Back to Work Allowance and Unemployment Assistance are all exempt from income tax and should not be entered in the Return. Maternity Benefit is exempt from income tax up to 30 June 2013 only.

Enter the gross amount of Carer's Allowance received from the Department of Social Protection, [238].

Enter the gross amount of any other type(s) of payment(s) received, e.g. State Pension (Transition), State Pension (Contributory), Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension, Deserted Wife's Benefit or Single Person Child Carer Credit, [239].

Lump sums from Relevant Pension Arrangements (S. 790AA) [240]

Section 790AA TCA 1997 provides for the taxation of retirement lump sums paid above a tax-free amount under various pension arrangements.

As and from 1 January 2011, the maximum lifetime tax-free limit on retirement lump sums paid to an individual on or after 7 December 2005 is €200,000. Where a lump sum (or lump sums) is paid to an individual on or after 1 January 2011 the amount in excess of this tax-free limit (the 'excess lump sum') is subject to tax in two stages.

- ◆ The first portion of the excess lump sum (i.e. the portion between €200,000 and €500,000) is chargeable to tax under Case IV of Schedule D (Section 790AA (3)(a)(i) or (3)(b)(i)(I) TCA 1997) at the standard rate of income tax in force when the lump sum is paid, currently 20%. As this portion is effectively 'ring-fenced', no reliefs, allowances or deductions may be set or made against it when computing the amount of tax to be deducted.
- ◆ The second portion, if any, of the excess lump sum (i.e. the portion over €500,000) is regarded as profits or gains arising from an office or employment and is charged to tax under the Schedule E basis of assessment at the individual's marginal rate.

An individual who receives a lump sum from a qualifying overseas pension plan must pay tax on the entire excess lump sum under Case IV of Schedule D at the rate, or rates of income tax that would apply if the lump sum was received from a pension plan other than a qualifying overseas pension plan.

Convertible Securities [241]

Chargeable event in 2016 (Section 128C TCA 1997)

Section 128C TCA 1997 sets out specific rules for the tax treatment of convertible securities acquired by directors and employees by reason of their office or employment on or after 31 January 2016.

Chargeable events include:

- ◆ The conversion of securities into securities of another description,
- ◆ The release of the entitlement to convert for consideration,
- ◆ The disposal for consideration of the securities by the employee or director (or by any other person who acquired the securities by reason of the employee's or director's office or employment),
- ◆ The receipt of a benefit in money or money's worth by the employee or director (or any other person who acquired the securities by reason of the employee's or director's office or employment) in connection with the entitlement to convert (for example, the receipt of compensation for the loss of the entitlement).

Share Options [242]

Share Options exercised, released or assigned in 2016 [242]

Enter the total amount chargeable to Income Tax on share options exercised, released or assigned in 2016 at **Line 242(a)**. Enter the amount of Relevant Tax on a Share Option (RTSO) paid at **Line [242(b)]**.

Election under Section 128A(4A) TCA 1997 [SO3 Election] [243]

If you, your spouse or civil partner elected on or before 1 June 2003 to make a 'payment on account' and made a 'payment on account' under Section 128A(4A) against the income tax due on share options and have now disposed of any shares, state the balance of tax remaining on the share option(s) to which the election under Section 128A(4A) was made and the aggregate of the net gain arising on the disposal of shares in 2016. Do not include losses in the aggregate net gain.

Note that the disposal of any of the shares entered in this section may also give rise to a charge to Capital Gains Tax. You should include details of any such disposals in Panel L (Capital Gains) of the Return.

Directorships [244]

A Proprietary Director is the company's beneficial owner or director who can control directly / indirectly more than 15% of company's ordinary share capital. Enter each company's tax number and the percentage shareholding in each company if you, your spouse or civil partner held proprietary directorships in the year 2016.

Panel E - Foreign Income [301 – 324]

In general, individuals who are resident in the State are taxable on their worldwide income. Where an individual is resident but not domiciled in the State they are assessable on Irish income including income attributable to the performance of the duties of a foreign employment in the State and remittances of other foreign income, that is, a transfer of money into this State made out of this other foreign income. Where applicable, remittances should be returned in **Lines 302(a) & (b) 308, 310 - 312, 314(a), 315(d), 317 & 318(a)**.

The question as to whether you are entitled to a credit / deduction for any foreign tax deducted, or whether the foreign tax should be refunded by the foreign State, depends on whether Ireland has a Double Taxation Agreement with the foreign State, and upon the terms of that agreement. A list of countries with which Ireland currently has a Double Taxation Agreement can be obtained on our website www.revenue.ie under 'Tax Treaties'

Great Britain and Northern Ireland Dividends [301]

Enter net Dividends, not subject to Irish tax on encashment, received from Great Britain and Northern Ireland including details of any scrip dividends received.

Foreign Pensions (including UK pensions) [302]

Enter the gross amount of pension(s) received in the box provided.

If foreign tax was correctly deducted from the pension, i.e. **you are not entitled to a full or partial refund of this tax from the foreign State** under the terms of any Double Taxation Agreement between Ireland and that State, forward details of the amount of the foreign tax deducted to your Revenue office. This situation might occur in the case of Canadian and Swedish pensions.

Note: UK State Pension, Incapacity Benefit or Pensions arising in the UK or Northern Ireland

Irish resident individuals may claim relief at source or repayment of tax from the UK authorities in respect of UK State Pension, Incapacity Benefit or Pensions arising in the UK. The claim for a repayment of UK tax should be made on a Form IRL / individual and submitted to the UK authorities. Revenue tax the gross amount and no credit for UK tax deducted is due from Revenue on the basis that such tax is refundable by the UK authorities.

EU Deposit Interest (excluding UK interest) [304]

The EU Savings Directive ensures that individuals resident in an EU Member State who receive interest income from another Member State are taxed in the Member State in which they are resident for tax purposes. Interest paid / credited on or after 1 July 2006 is either (1) reportable by paying agents in the EU to the tax authorities in the paying agents home territory or (2) subject to withholding tax in those territories which have opted to apply withholding tax rather than report the payment.

An individual who has suffered withholding tax on EU interest payments in 2016, may claim a credit for the tax withheld by completing **Line 304**.

A statement* from the paying agent must support the claim and include the following information:

- ◆ The name and address of the paying agent
- ◆ The name and address of the account holder
- ◆ The date of the interest payment
- ◆ The amount of the interest payment
- ◆ The amount of the tax deducted.

*Do not submit the statement with the return but you must retain it for a period of six years, in case evidence of tax deducted is required in the course of an audit or verification check.

The full text of the Directive, the Irish legislation, associated publications, etc. are available via Revenue's website www.revenue.ie

Enter the gross amount of EU Deposit income received at **Line 304(a)**. Non-EU deposit interest should be included at **Line 317**. Any Savings Directive withholding tax deducted should be entered at **Line 304(b)**. Any foreign tax other than that entered at **Line 304(b)** should be entered at **Line 304(c)**.

EU 'Other' Interest (excluding UK interest) [306]

Enter the gross amount of EU interest 'other' than EU Deposit Interest at **Line 306(a)**. Any Savings directive withholding tax should be entered at **Line 306(b)**. Any foreign tax other than that entered at **Line 306(b)** should be entered at **Line 306(c)**.

Foreign Employments [308]

Enter the gross amount of the income received from **Foreign Employments** attributable to the performance **outside** the State of such employments on which Transborder Relief is not claimed.

If foreign tax was correctly deducted from the employment income, i.e. you are not entitled to a full or partial refund of this tax from the foreign State under the terms of any Double Taxation Agreement between Ireland and that State, enter the amount of the foreign tax deducted in the box(es) provided.

If the duties of the employment are performed partially in the State and partially outside the State the gross income should be apportioned accordingly. Only enter income attributable to the performance outside the State of such employment at **Line 308**. Income attributable to the performance in the State should be entered at **Line 219**.

Transborder Relief [309]

Transborder Relief is designed to give income tax relief to individuals who are resident in the State but who commute daily or weekly to their place of work abroad and who pay tax in the other country on the income from that employment.

Subject to meeting certain conditions an individual can have their income tax liability reduced to what is known as the **specified amount**, see below. In simple terms, the effect of this relieving measure is that Irish tax will only arise where the individual has other income separate to the income from the foreign employment (qualifying employment) and will ensure that they will not pay any additional tax on employment income which is taxed abroad.

To qualify for the relief the income must not have benefited from 'split year treatment', the remittance basis of assessment or have been paid by a company to one of its proprietary directors or to the spouse or civil partner of one of its proprietary directors **and** each of the following conditions must apply:

- (a) The duties of the employment must be exercised wholly in a country with which Ireland has a Double Taxation Agreement. In determining whether the duties of a qualifying employment are performed wholly in the other country, any duties performed in Ireland which are merely incidental to the performance of the duties abroad will be regarded as having been performed in the other country. Normally any number of days up to a maximum of 30 in a tax year will be regarded as incidental days,
- (b) The office or employment must be held for a continuous period of at least 13 weeks in the tax year.

The **specified amount** (i.e. the tax due after relief has been granted) is arrived at as follows:

- (a) Calculate the income tax which would be payable for a tax year under normal rules, excluding credit

- for any foreign tax paid, and
- (b) Reduce this amount in the proportion which your total income (excluding the income from the qualifying employment) bears to total income (including the income from the foreign employment).

This can best be expressed by way of the following formula:

$$\text{Transborder Relief Due} = \frac{\text{(Specified Income) Total Irish liability under Irish Rules excluding credit for any foreign tax paid} \times \text{Income other than Foreign Employment Income}}{\text{Total Income}} \text{ minus (Total Irish liability under Irish Rules X Employment Income) / Total Income}$$

Where there is other foreign income (in addition to the Foreign Employment Income) and the other foreign income has a foreign tax credit attaching, this foreign tax credit is also ignored in the above computation. Enter the amount of the salary on which you are claiming Transborder Relief.

US Dividends [310]

Enter the gross amount of Dividends received from the US.
Enter the amount of Irish tax deducted, if any, on encashment of these dividends at **Line 319**.

Canadian Dividends where Irish tax on encashment was withheld [311] Canadian Dividends where no Irish tax on encashment was withheld [312]

Enter gross amount of Dividends received from Canada.
Enter the amount of Irish tax deducted, if any, on encashment of these dividends at **Line 319**.

Foreign Trade / Profession [313 - 314]

Only income from Trades / Professions which are entirely carried on, managed, controlled and overseen abroad should be entered here. Other income from Trades / Professions should be entered at Panel B.
If no foreign tax was deducted, or, if deducted is refundable by the foreign jurisdiction the income should be returned in **Line 313**.

Where foreign tax was correctly deducted and withheld by the foreign jurisdiction, **Line 314** should be completed.

Foreign Rental Income [315]

The number of foreign properties let should be entered at **Line 315(a)**.
Enter gross amount of Foreign Rental income receivable at **Line 315(b)** and expenses at **Line 315(c)**.
Net profit on Foreign Rental property should be entered at **Line 315(d)**.
Capital Allowances, including capital allowances forward should be entered at **Line 315(e)**.
Amount of unused losses from a prior year should be entered at **Line 315(f)**.
Amount of Foreign tax deducted, if any, should be entered at **Line 315(g)**.

More detailed information on the Irish tax implications of foreign property ownership is available at www.revenue.ie
Foreign rental losses may be offset **only** against foreign rental profits.

OTHER FOREIGN INCOME 317 - 318

All foreign income, excluding that which is asked for separately on the Return (at **Lines 301 - 316** and **Lines 320 - 322**) should be entered in either **Line 317** or **318**. Include details of any scrip dividends received from non-resident companies.

If no foreign tax was deducted, or, if deducted is refundable by the foreign jurisdiction the income should be returned in **Line 317**. Where foreign tax was correctly deducted and withheld by the foreign jurisdiction, **Line 318** should be completed.

Note: UK Purchased Annuities, Interest or Royalties arising in the UK or Northern Ireland

Irish resident individuals may claim relief at source or repayment of tax from the UK authorities in respect of UK Purchased Annuities, Interest or Royalties arising in the UK. The claim for a repayment of UK tax should be made on a Form IRL / individual and submitted to the UK authorities. Revenue tax the gross amount and no credit for UK tax deducted is due from Revenue on the basis that such tax is refundable by the UK authorities.

Irish Tax Deducted on Encashment [319]

Enter amount of Irish tax deducted on encashment from US Dividends **Line 310**, Canadian Dividends **Line 311**, other foreign interest, royalties, annuities, dividends, etc. **Lines 317** and **318(b)** at **Line 319**.

Foreign Bank Accounts (Section 895 TCA 1997) [320]

Individuals who, or whose spouse or civil partner, opened foreign bank accounts during the year are required to give certain information in relation to such accounts – including the amount of the initial deposit and other details as outlined on the Return.

Remember to include interest earned from these accounts in **Lines 306, 317** or **318** as appropriate.

Foreign Life Policies (Sections 730H, 730I, 730J, 730K TCA 1997) [321]

Individuals resident or ordinarily resident in the State must include details of acquisitions of foreign life policies during the period 1 January 2016 to 31 December 2016. Where a taxpayer has sold, made withdrawals from, or received any cash or other benefits from a foreign life assurance policy or a personal portfolio life policy, often referred to as a bond, with a foreign assurance company, they may have made a gain from a foreign policy. A gain may also occur on a deemed disposal. Receipts from policies that issued from an 'offshore State' are taxable income. An offshore State is a country other than Ireland which is a Member State of the European Union (EU) or European Economic Area (EEA), or any Member State of the Organisation for Economic Co-operation and Development (OECD) with which Ireland has a Double Taxation Agreement.

With effect from 1 January 2015, the distinction between 'correctly included' and 'not correctly included' is removed (for other than a Personal Portfolio Life Policy (PPLP)) and, any payment whether regular (annual or more frequent) or non-regular (including gains on disposals or deemed disposals), is liable to income tax at the rate of 41%. Such income and gains are not liable to PRSI or USC.

A deemed disposal is the ending of an eight year period beginning with the inception of the policy and each subsequent period of eight years beginning when the previous one ends.

In the case of a PPLP, where the income and gains are correctly included the rate of tax is 60%.

A foreign life policy is in general terms one normally issued from outside Ireland. However, a policy taken out with the Irish branch of an overseas assurance company is treated as an Irish policy provided certain conditions are met.

A personal portfolio life policy or bond is a life assurance policy where the benefits payable are determined by the value of property chosen directly or indirectly by the policy holder.

Offshore Funds (Part 27 Ch4 TCA 1997) in the EU or EEA, or in a Member State of the OECD with which Ireland has a Double Taxation Agreement [322]

Individuals resident or ordinarily resident in the State must include details of acquisitions of material interests in all offshore funds during the period 1 January 2016 to 31 December 2016. An interest is a material interest if it is capable of realising an amount equal in value to the proportion of the underlying assets of the offshore fund represented by that interest.

An offshore fund can take the form of an investment in:

- ◆ A non-resident company, or
- ◆ A foreign unit trust, or
- ◆ Any other arrangements, which take effect under foreign law and create rights in the nature of co-ownership.

With effect from 1 January 2015, the distinction between 'correctly included' and 'not correctly included' is removed (for other than a Personal Portfolio Investment Undertaking (PPIU)) and, any payment whether regular (annual or more frequent) or non-regular (including gains on disposals or deemed disposals), is liable to income tax at the rate of 41%. Such income and gains are not liable to PRSI or USC.

A deemed disposal is the ending of an eight year period beginning with the acquisition of the material interest and each subsequent period of eight years beginning when the previous one ends.

In the case of a PPIU, where the income and gains are correctly included the rate of tax is 60%.

A Personal Portfolio Investment Undertaking is an undertaking where the selection of the property of the undertaking can be influenced directly or indirectly by the unit holder.

Note that the receipt of payments from foreign entities that are treated in Ireland as transparent (e.g. partnerships) does not generally give rise to a further liability to tax under the offshore funds provisions. Instead, taxation by first principles applies in such cases. In the same way that partners are taxed directly on income and gains arising within an Irish partnership, Irish investors in foreign entities that are treated in Ireland as transparent, will be taxed in Ireland on their share of the income and gains arising within the foreign entities as those income and gains arise and no entry should be made at **Line 322** in such cases.

Other Offshore Products (Section 896 TCA 1997) outside the EU or EEA, or outside any Member State of the OECD with which Ireland has a Double Taxation Agreement and within the EU or EEA, or within any Member State of the OECD with which Ireland has a Double Taxation Agreement [323]

Individuals who have acquired a material interest in an offshore product (including Foreign Life Assurance Policies and Offshore Funds) in 2016 are required to return the information requested on the Form 11. Details of all receipts from non-qualifying Offshore Funds should be entered in **Line 411**.

Note that the receipt of payments from foreign entities that are treated in Ireland as transparent (e.g. partnerships) does not generally give rise to a further liability to tax under the offshore funds provisions. Instead, taxation by first principles applies in such cases and no entry should be made at **Line 323** or **411** in such cases.

Line 323 caters for 'Other Offshore Products'. The requirements here are governed by Section 896(5) TCA 1997. The information required relates to offshore products which are:

- ◆ Foreign life products in a state outside the EU or EEA, or outside an OECD treaty state, i.e. offshore products to which Section 730I TCA 1997 does not relate,
- ◆ Unregulated offshore funds in the EU or EEA, or in an OECD treaty state and all offshore funds outside the EU or EEA, or outside an OECD treaty state, i.e. offshore products to which Section 747C TCA 1997 does not relate.

Therefore, it should be noted that **Line 323** of the 2016 Form 11 requires a return of information in relation to two types of offshore funds acquired in 2016. It requires not only details of all such funds which are outside the EU or EEA, or outside an OECD treaty state but also details of unregulated funds (those not coming within Section 747B(2A)) acquired within the EU or EEA, or within an OECD treaty state.

Panel F - Income From Fees, Covenants, Distributions, etc. [401 - 411]

Fees, Commissions, etc. [401]

Fees, Commissions, etc. from sources other than employments or directorships should be entered on behalf of both self and spouse or civil partner. [Fees, commissions earned in the course of an **employment** should **not** be entered here, they are proper to **Line 219**].

Irish Untaxed Income - Irish Investment Income paid **without** deduction of Irish Income Tax [402]

This includes interest on Government Loans, Exchequer Bills (including amounts treated as interest on disposals of these securities in certain circumstances) and on other loans and investments. Only income which has **not** already suffered tax at source should be entered here.

Irish Deposit Interest [403]

Give details of deposit interest from which DIRT at 41% was deducted [**403(a)**]. Do not include income from Special Share Accounts, Special Term Share Accounts, or Special Savings Accounts in this Line; they should be included in **Line 403(b)**.

Deposit Interest from Special Share Accounts / Special Term Share Accounts / Special Savings Accounts - subject to DIRT - should not be returned, unless you or your spouse or civil partner are entitled to claim a refund of DIRT. You are entitled to claim a refund of DIRT where you or your spouse or civil partner are either:

- ◆ 65 years or over, or
- ◆ Permanently incapacitated,

and you are exempt from tax or your tax credits / reliefs exceed your income.

If the account is a Special Term Share Account, you should only enter the amount which has been subjected to DIRT, i.e. the amount **after** the relevant exemption. In a Medium Term Share Account the first €480 is exempt from DIRT, and in a Long Term Share Account the first €635 is exempt from DIRT, [**403(b)**].

Give details of deposit interest from which DIRT was **not** deducted at **Line 403(c)**.

Dividends from Irish Resident Companies (from which Dividend Withholding Tax was deducted) [404]

Dividends of Companies resident in the State

Enter the totals for all Dividends plus Dividend Withholding Tax (including Manufacturing Companies, Patent Royalty, etc.). Scrip dividends from quoted resident companies should also be included **[404(a)]**. [Scrip dividends from unquoted resident companies should be entered at **Lines 409(a)- 409(c)**].

Enter the totals for all Dividends from which Dividend Withholding Tax was not deducted at **Line 404(b)**.

Settlement, Covenant, Estate income, Maintenance Payments, etc. [406]

Gross income from an estate, settlement, covenant, maintenance agreement, etc. must be returned in this section.

Return gross amount where tax was **not** deducted, **[406(a)]**.

Return gross amount where tax was deducted, **[406(b)]**.

A 'settlement' is defined as any disposition, trust, covenant, agreement, arrangement, or for certain purposes, transfer of assets.

Income from non-exempt Qualifying Patents [407]

Gross income from patent royalties which is not exempt under Section 234 TCA 1997 must be included in this section.

Return the gross amount where tax was **not** deducted, **[407(a)]**.

Return gross amount where tax was deducted, **[407(b)]**.

Other Income (from which Irish Standard Rate Tax was deducted) [408]

If you were in receipt of income where Irish Standard Rate Tax was deducted at source, enter the gross amount of the income received here, e.g. Annuities.

Investment Undertakings (Section 739G(2A) TCA 1997) [409]

This section is to be used when an investment undertaking has elected **not** to deduct exit tax on a deemed disposal **and** has so notified the taxpayer. This income is liable at the rates shown at **Lines 409(a)** and **409(b)**. The rate varies depending on the nature of the investment gain and the date on which it arose.

This income is liable to income tax only; it is not liable to PRSI or USC.

Income chargeable under section 811B [410]

Payments (including a loan or the loan of or the provision of the use of an asset) to an employee, former employee or prospective employee or director out of a trust or other arrangement that is provided, or funded, by a person (including a company) who is that employee's employer (or subsequently becomes that employee's employer or is connected to the employer) are deemed to be income within the charge to Income Tax and Universal Social Charge.

As a balancing aspect, if a loan, which has been taxed by virtue of this measure, is wholly or partially repaid, the Income Tax and Universal Social Charge attributable to the amount repaid may be refunded.

As regards loans, loans of assets or benefits provided before 13 February 2013 where such amounts have not been repaid, the measure imposes a charge to Income Tax and Universal Social Charge for each year of assessment that the loan remains outstanding or the employee continues to have use of the asset. The annual amount chargeable is an amount calculated as if the benefit-in-kind provisions apply.

Income from Sources Not Shown Elsewhere [411]

Insert in this section details of any income received from whatever source for which specific provision is not made elsewhere in the Return, for example:

- ◆ Sums received after discontinuance of a trade or profession,
- ◆ Sums deemed to be income by reference to the 'transfer of assets' provisions (Sec. 806 TCA 1997),
- ◆ Scrip dividends from unquoted resident companies,
- ◆ Amounts from non-qualifying offshore funds.

Panel G - Exempt Income [412 - 417]

This part of the Return is only relevant where you have income which has a statutory exemption from income tax. Even though this income is exempt, there is a legal requirement on you to enter the profits, gains, distributions or losses where requested. Do not enter income from other sources which is exempt solely because the level of income is too low to be taxed.

Artists Exemption [412]

Artists Exempt Income is profit on income from qualifying work(s) determined by the Revenue Commissioners to have artistic / cultural merit and for which the Revenue Commissioners have granted exemption from Income Tax under Section 195 TCA 1997.

This exemption is restricted to the first €50,000. Income in excess of this amount is taxable and should be entered in Panel B of this return – income from trades, professions, or vocations.

The exemption only applies to income tax. The exempt portion of artist's income is liable to both PRSI and USC.

Profit or gains from Woodlands [413]

Profits or gains from the commercial occupation of woodlands in the State are exempt from income tax under Section 232 TCA 1997. Distributions paid out of such exempt profits or gains are, under Section 140 TCA 1997, not regarded as income for the purposes of the Income Tax Acts.

The exemption only applies to income tax. This income is liable to both PRSI and USC.

Rent-a-Room Relief Scheme [414]

If you let a room (or rooms) in a 'qualifying residence' as residential accommodation and the aggregate of the gross rents and any sums for food, laundry or similar goods and services in respect of the letting, ('relevant sums'), does not exceed the annual limit for the tax year (currently €12,000), the profits or losses on the relevant sums (where such sums are chargeable to tax under Case IV or Case V, or Case IV and Case V, of Schedule D), are subject to the exceptions described below, treated as nil for income tax, PRSI and USC purposes.

A 'qualifying residence' for a tax year is a residential premises in the State, which you occupy as your sole or main residence during that tax year.

When calculating relevant sums no account is taken of any expenses incurred in respect of the letting or the provision of additional services.

Where more than one individual is entitled to the relevant sums, the annual limit is divided between them.

The relief is not due where the relevant sums are received from your child.

Neither is the relief due where you are an office holder or employee of the person making the payment or of a person connected with the person making the payment or where, in these circumstances, the relevant sums are paid to a person connected to you.

The relief does not affect any entitlement you may have to mortgage interest relief or to capital gains tax exemption on the disposal of a principal private residence.

You can opt out of this relief by ticking the box(es) at **Line 414(b)**. If you opt out, enter details at Panel C (Case V income) and / or **Line 401** (Case IV income), as appropriate, rather than at **Line 414(a)**.

Where income arising in connection with the letting of a room in your home is taxable under Case IV, the expenses incurred directly in the provision of the accommodation or other services, for example the cost of providing meals, light, heat or laundering costs, are deductible in computing the amount of income entered at **Line 401(a)**.

For additional information on rent-a-room relief, please refer to Chapter 7.1.32 of the Income Tax, Capital Gains Tax and Corporation Tax Manual

Childcare Services [415]

Childcare Services relief is a scheme of tax relief for income arising from the provision of certain childcare services. Subject to certain conditions, where the gross annual income (before expenses) from the provision of childcare services does not exceed €15,000, the income is exempt from tax.

A summary of the scheme is as follows:

- ◆ The individual's gross income limit for a year of assessment is €15,000. If more than one person is providing childcare services in a dwelling, the €15,000 limit is split between the number of people involved,

- ◆ In determining whether the income level exceeds €15,000 no deductions of any kind are taken into account,
- ◆ Where the gross income exceeds €15,000 the income is taxable in the normal way, i.e. calculate taxable profits by deducting allowable business expenses from turnover,
- ◆ The childcare service must be provided in the carer's home, not the children's home,
- ◆ No more than three children may be cared for at any one time,
- ◆ The care provider must be self-employed (not an employee) and include the gross income in their annual return of income to the Revenue Commissioners. The claim for the tax exemption is made with this return,
- ◆ By claiming this relief you are confirming that you have notified the relevant person in the Health Service Executive (HSE), that you provided child minding services in 2016. In practice this will mean an officer appointed by the local City or County Childcare Committee.
See www.pobal.ie > childcare > city / county childcare committees, or telephone +353 1 2400 700.
- ◆ A separate notification must be made in respect of each tax year for which the exemption is claimed,
- ◆ A claim under this section does not affect a person's entitlement to mortgage interest relief in respect of, nor capital gains tax relief on gains from the disposal of, their principal private residence,
- ◆ Income to which this section applies will not be taken into account in determining entitlement to the home carer's tax credit,
- ◆ The election to have this income exempt from income tax for 2016 must be made on or before **31 October 2017**.

If your childcare income qualifies under the above you can elect for this scheme by entering the gross income received at **Line 415**.

You may, if you wish, choose to have any income / losses from this source assessed under the normal rules for income. If so, include the income / loss in the relevant entries at **Lines 107(a)** and **108**.

This income is exempt from income tax and USC. A separate charge to PRSI arises on this income.

Income not chargeable to tax but which is part of total income [416]

In this section enter the amount of any income which is exempt from income tax but which forms part of total income for the purposes of determining whether the low income exemption applies. An example of this income is foreign government pensions which are exempt from Irish tax because of a double taxation agreement between Ireland and the other state.

This income is exempt from income tax, PRSI and USC.

Other Exempt Income [417]

Insert in this section details of any exempt income received from whatever source for which specific provision is not made elsewhere in the Return, for example, exempt investment income received under Section 189 TCA 1997.

Sums arising to an individual in respect of the letting, for residential purposes, of a room or rooms in his / her home, including, for example, sums arising from lettings to students for an academic year, and the provision of meals or other services supplied in connection with the letting, may be exempt from income tax where they meet the conditions and are below the annual limit of €12,000 for 2016. Income from the provision of guest accommodation to occasional visitors for short periods is not exempt. Detailed information on the conditions attaching to the relief can be found on the revenue website at <http://www.revenue.ie/en/about/foi/s16/income-tax-capital-gains-tax-corporation-tax/part-07/07-01-32.pdf>

Panel H - Annual Payments, Charges and Interest Paid [501 - 514]

Rents, etc. payable to Non-Residents [501]

If you pay rent or similar type payments directly to a person who resides outside the State, you must deduct tax at the standard rate (20%) from the gross amount paid. For example, if the gross rent is €1,000 per month you must deduct tax of €200 (1,000 x 20%) and pay that tax to Revenue. This obligation arises if you make the payment

directly to the landlord or if you lodge the payment to the landlord's bank account in this country or abroad.

If you failed to deduct tax as described above, you may be liable for the tax which you should have deducted. Please refer to section 1041 TCA 1997.

You account for the tax deducted by entering the gross rent payable to the non-resident landlord at **Line 501**.

Clawback of Employers' Tax Relief at Source (TRS) [502]

Complete this section **only if you are an employer** and have paid, as a perquisite / benefit for your employee(s) or director(s), medical insurance premiums to an authorised insurer in the period 1 January 2016 to 31 December 2016. This includes Dental Insurance, paid by you as an employer on behalf of your employee(s) or director(s), for non-routine dental treatment. If you are **an employer** who pays medical insurance premiums for your employee(s) or director(s) the value of the TRS received by you must be recovered by Revenue. Enter the amount of the tax relief at source granted. This amount will be added to your tax liability.

Maintenance Payments [503]

Tax relief is available for maintenance payments made under a legally enforceable arrangement for the benefit of the spouse or civil partner (not children), i.e. Deed of Separation / Rule of Court, etc. Voluntary maintenance payments to a spouse or civil partner do not qualify for relief.

Deeds of Covenant [504]

Only covenants in favour of certain individuals qualify for tax relief:

Children

Unrestricted tax relief can be claimed on covenants in favour of permanently incapacitated minors other than from parents to their own minor incapacitated child(ren). A minor is an individual under 18 years and unmarried, **[504(a)]**.

Adults

Unrestricted tax relief can be claimed on covenants in favour of permanently incapacitated adults, **[504(a)]**.

In addition, restricted relief * can be claimed on covenants in favour of adults aged 65 and over, **[504(b)]**.

*Relief available cannot exceed 5% of the covenantor's total income, i.e. gross income less certain deductions from income such as Schedule E expenses ('flat rate expenses'), capital allowances, etc.

Other Charges / Annuity(ies) [505]

Enter details in respect of any other Charges / Annuity payment(s) other than those listed separately in **Lines 501-504** inclusive, e.g. patent royalties.

Retirement Annuity Contracts (RACs) [507]

If you are a self-employed individual, a proprietary director or an employee who is not in an occupational pension scheme you can claim tax relief for RAC premiums. As with contributions to other pension arrangements, tax relief for RAC premiums is subject to two main controls.

The first control is an age-related percentage limit of an individual's net relevant earnings (see Table). This provides that the maximum pension contribution to all pension products in respect of which an individual may claim tax relief may not exceed the relevant age-related percentage of their net relevant earnings in any year.

The second control places an overall upper limit on the amount of net relevant earnings that may be taken into account for the purposes of giving tax relief. The earnings limit is set at €115,000 for 2016. This limit applies whether an individual is contributing to a single pension product or to more than one pension product.

Please refer to Tax Briefing 74 for additional information. Net relevant earnings consist essentially of relevant earnings less deductions which would be made in computing total income for tax purposes. These deductions include losses and capital allowances. A 'non-pensionable employment' is one where the individual is not included for retirement benefits under an approved occupational pension scheme relating to the employment. Earnings as a proprietary director or proprietary employee of an investment company are not relevant earnings.

It is very important that you enter your date(s) of birth in the appropriate section of the Return [**Line 7** and / or **Line 9(b)**] to ensure you get the maximum relief to which you are entitled.

The relevant percentage of Net Relevant Earnings are set out in the Table hereunder.

Age	% of Net Relevant Earnings
Under 30 years	15%
30 - 39 years	20%
40 - 49 years	25%
50 - 54 years	30%
55 - 59 years	35%
60 and over	40%

Example: If you are aged 43, have earned €45,000 in this period and make an RAC payment of €12,000, the relief due to you is restricted to €45,000 @ 25%, i.e. €11,250. The balance of the payment, €750, may be carried forward to the following year(s) and treated as a qualifying premium paid in that year(s).

The 30% limit will apply, if you are less than 55 years of age and your income comes wholly or mainly from a specified sporting occupation, i.e. athlete, badminton player, boxer, cricketer, cyclist, footballer, golfer, jockey, motor racing driver, rugby player, squash player, swimmer or tennis player.

The tax-deductible contributions are calculated by reference to a maximum earnings figure of €115,000 for the year 2016 on contributions to all pension products.

Relief may be claimed in respect of:

- ◆ Premiums paid in the period 1 January 2016 to 31 December 2016,
- ◆ Any premiums paid in an earlier year for which relief has not been obtained,
- ◆ Any premium paid between 1 January 2017 and the return filing date for 2016 (and for which relief has not already been allowed) where you claim relief as if it was paid in the period 1 January 2016 to 31 December 2016. This claim must be made on or before the return filing date for 2016. If you file your return under ROS you may avail of the extended filing date to make an election and pay a contribution.

Personal Retirement Savings Accounts (PRSAs) [508]

Contributions paid into a PRSA will benefit from tax relief at an individual's highest income tax rate. It is very important you enter your date(s) of birth in the appropriate section of the Return [**Line 7** and **Line 9(b)**] to ensure you get the maximum relief to which you are entitled.

Relief is available against Net Relevant Earnings, i.e. earnings from a trade, profession, office or employment, after deducting losses, capital allowances and certain other amounts (section 787B(4) TCA 1997 refers). The percentage of Net Relevant Earnings which may be claimed as a deduction in respect of PRSAs are set out in the following tables. Earnings as a proprietary director or proprietary employee of an investment company are not relevant earnings.

Table A

Contributions to an Occupational or Statutory Scheme and to a PRSA linked to such a scheme (PRSA-AVC)

Age	% of Remuneration
Under 30 years	15%
30 - 39 years	20%
40 - 49 years	25%
50 - 54 years	30%
55 - 59 years	35%
60 and over	40%

Relief is limited to the age % limit of the remuneration from the office or employment including AVC contributions to the scheme. The amount of net relevant earnings against which any other PRSA contributions may be set is reduced by the remuneration from the office or employment.

These limits will apply to the combined total of the employee contributions to the PRSA and the Occupational / Statutory Pension Scheme.

Table B**Contributions [employee's plus employer's (if any) to a PRSA only]**

Age	% of Net Relevant Earnings
Under 30 years	15%
30 - 39 years	20%
40 - 49 years	25%
50 - 54 years	30%
55 - 59 years	35%
60 and over	40%

As with contributions to other pension arrangements, tax relief for PRSA contributions is subject to two main controls. Please see the section on Retirement Annuity Contracts and also refer to Tax Briefing 74 if you require additional information.

The tax-deductible contributions are calculated by reference to a maximum earnings figure of €115,000 for the year 2016 on all contributions to all pension products.

For example, if an employee aged 40 earns €200,000 the maximum allowable contribution will be €28,750 (i.e. earnings limit €115,000 x 25%).

You may be granted tax relief for PRSA contributions up to €1,525 paid, even if this exceeds the normal income based limit. For example, a person aged 23 earns €9,525 and makes a PRSA contribution of €1,600. The age percentage of net relevant earnings is €1,429 however, he would be entitled to minimum relief of €1,525. This does not apply in the case of contributions to an AVC PRSA.

The 30% limit will apply, if you are less than 55 years of age and your income comes wholly or mainly from a specified sporting occupation, i.e. athlete, badminton player, boxer, cyclist, footballer, golfer, jockey, motor racing driver, rugby player, squash player, swimmer or tennis player.

The tax relief is non-transferable between spouses or civil partners in line with existing rules for RAC and occupational pension scheme contributions.

Contributions made by an employer to a PRSA on behalf of an employee are treated as a Benefit-in-Kind of the employee and must also be returned in **Line 233(a)** of the Form 11. Such contributions are treated for relief purposes as if made by the employee.

The total amount to be entered at **Line 511(c)**, is the sum of:

- ◆ The PRSA contribution paid by an employer on your behalf [**Line 508(c)**]. (Note to also enter this figure at **Line 221(a)**),
- ◆ The amount paid by you and certified on Form PRSA 1 (which you retain), see note below on 'PRSA 1 Certificate', [**508(d)**],
- ◆ The amount paid between 1 January 2017 and the return filing date for 2016 for which relief is claimed for 2016 (and for which relief has not already been allowed), [**508(e)**]. This claim must be made on or before the return filing date for 2016. If you file your return under ROS you may avail of the extended filing date to make an election and pay a contribution.
- ◆ Any amount paid in a prior year for which relief has not been obtained, [**508(f)**].

Certificates PRSA 1, PRSA 1 (Net Pay), PRSA 2 AVC (Net Pay)

Relevant Certificate(s) will be available from the PRSA provider as follows:

PRSA 1 Certificate - This certificate will be issued to individuals taking out a PRSA product not linked to an Occupational or Statutory Pension Scheme. **There will be no income tax relief due on contributions made to this type of PRSA if the individual is a member of an Occupational or Statutory Pension Scheme unless he or she has other relevant earnings against which the relief may be allowed.**

PRSA 1 (Net Pay) Certificate - This certificate will be issued to **employees and directors** who are **not** members of an Occupational or Statutory Pension Scheme.

PRSA 2 AVC (Net Pay) Certificate - This certificate will be issued to **employees and directors** taking out a PRSA AVC product which is linked to an Occupational or Statutory Pension Scheme.

Overseas Pension Plans: Migrant Member Relief [509]

Relief is available for contributions paid on or after 1 January 2005 by a **'relevant migrant member'** who comes to the State and who continues to contribute to a pre-existing **'qualifying overseas pension plan'** concluded with a pension provider in another EU Member State. Contributions will benefit from tax relief at the individual's highest income tax rate.

'Overseas pension plan' means a contract, an agreement, a series of agreements, a trust deed or other arrangement which is established in, or entered into under the law of, a Member State of the European Communities, other than the State. It covers occupational pension schemes and personal pension schemes that a migrant worker might bring to the State whether he or she was employed or self-employed in the other EU Member State. It excludes any state social security scheme.

'Qualifying overseas pension plan' means an overseas pension plan that:

- ◆ Is established in good faith for the sole purpose of providing retirement benefits similar to those approved in the State,
- ◆ Qualifies for tax relief on contributions under the law of the EU Member State in which it is established, and
- ◆ In relation to which the migrant member of the plan has irrevocably instructed the administrator of the plan to provide the Revenue Commissioners with any information that they may require in relation to the plan.

A **'relevant migrant member'** is an individual who:

- ◆ Is a resident of the State,
- ◆ Was a member of the plan on taking up residence of the State,
- ◆ Was a resident of another EU Member State at the time he or she first became a member of the plan and was entitled to tax relief on contributions under the law of that Member State.
- ◆ Was resident outside of the State for a continuous period of three years immediately before becoming a resident of the State,
- ◆ Is a national of an EU Member State or, if not, was resident in an EU Member State immediately (other than the State) before becoming a resident of the State.

If an individual moves to Ireland from any other EU member state with a pre-existing qualifying overseas pension plan, the Revenue Commissioners are not aware of anything that will prevent that individual from meeting the 'relevant migrant member' condition that he or she was entitled to tax relief on contributions to the plan under the law of that member state.

Where the conditions in relation to a 'qualifying overseas pension plan' and 'relevant migrant member' are met, relief may be granted in respect of any contributions paid.

In order to claim relief the individual should complete part 1 of Overseas Pension 1 form available at <http://www.revenue.ie/en/tax/it/forms/overseas.pdf>. The plan administrator should complete part 2 of the form and provide a 'certificate of contribution' setting out contributions made by the individual to the plan and, where relevant, any contributions made by their employer in the State.

Employers are authorised to operate the 'net pay arrangement' where contributions to a 'qualifying overseas pension plan' are deducted from an individual's salary. Where relief is obtained under the 'net pay arrangement' no further relief will be due.

Relief is subject to the same age percentage limits and earnings limit as apply to contributions to approved pension plans in the State. It is very important that you enter your date of birth in the appropriate section of the Return [**Line 7 and Line 9(b)**] to ensure you get the maximum relief to which you are entitled.

Contributions by Irish Employees to an Overseas Pension Scheme.

Section 21 Finance Act 2005 allows for the approval, on or after 1 January 2005, by the Revenue Commissioners of occupational pension schemes provided to Irish employers / employees by pension providers based in other EU Member States (i.e. 'overseas pension scheme') which are structured other than on an irrevocable trust basis, so long as the standard approval conditions are met.

Claims for relief for contributions paid to an Overseas Pension Scheme are dealt with on the same basis as claims for relief for contributions to an Irish approved occupational pension scheme.

An employer is authorised to operate the 'net pay arrangement' in respect of allowable contributions to a qualifying overseas pension plan where such contributions are deducted from the employee's emoluments.

Retirement Relief for certain Sportspersons [511]

Sportspersons who cease permanently to be engaged in a 'specified' occupation or to carry on a 'specified' profession may be entitled to a deduction from total income. The amount of the deduction is set at 40% of the gross receipts, before deducting expenses, which arose wholly and exclusively from engaging in the sport. A sportsperson must be resident in the State for the year of assessment in which they cease permanently to be engaged in that profession.

This relief, given by way of repayment of income tax, takes the form of a deduction from total income and can be claimed for up to **any ten** of the years of assessment back to and including the tax year 1990/91 for which the sportsperson was resident in the State.

Relief is restricted to direct earnings from participation in certain sports. It does not apply to indirect sports earnings such as sponsorship monies, personal appearances or interviews, participation in advertisements, etc.

The 'specified' occupations / professions are:

Athlete	Badminton player
Boxer	Cricketer
Cyclist	Footballer
Golfer	Jockey
Motor Racing Driver	Rugby player
Squash player	Swimmer
Tennis player	

Other points to note in relation to this relief are:

- ◆ PRSI and USC are chargeable on the income before relief is granted,
- ◆ It does not create or augment a loss for the purposes of 'loss relief',
- ◆ This deduction is not to be taken into account in determining 'net relevant earnings' (RAC / PRSA relief),
- ◆ The relief given will be withdrawn if the person recommences participation in the sport on a professional level.

Any queries in relation to this relief can be directed to your local Revenue office.

Example - before Retirement Relief claimed

Direct Income (i.e. match fees)	€200,000
Less: expenses	(60,000)
Indirect Income (i.e. sponsorship)	<u>70,000</u>
Taxable Income	210,000
Tax @ 40%	84,000

Example - after Retirement Relief claimed

Direct Income (i.e. match fees)	€200,000
Less: expenses	(60,000)
Retirement relief €200,000 x 40%	(80,000)
Indirect Income (i.e. sponsorship)	<u>70,000</u>
Taxable Income	130,000
Tax @ 40%	52,000
Repay	32,000

Interest Relief on Certain Unsecured Home Loans [512] - Where Tax Relief at Source (TRS) was NOT granted

Relief in respect of interest paid on a loan used to acquire or improve your sole or main residence will generally have been given by way of Tax Relief at Source (TRS) subject to certain maximum limits. This means that your mortgage lender gives you the benefit of the tax relief element on the mortgage interest on behalf of the Revenue Commissioners. If you have an unsecured home loan on which TRS has not been granted relief may be due on the interest paid.

Relievable interest is the amount of qualifying interest, subject to a relief threshold, paid by an individual on a qualifying loan. In general, tax relief for interest paid on a loan secured on an individual's main residence is given at source by the bank, building society, etc. and you should **not** include such interest on your Return.

However, for other main residence loans (if any), which are not secured on the property ('unsecured loans') for which TRS has not been granted, you can claim relief subject to the restrictions outlined below.

Amount of Relief Available in 2016 (secured and unsecured loans)

For the 2016 tax year:

For qualifying home loans taken out in 2004 and on or before 31 December 2012, the interest payable in the period 1 January 2016 to 31 December 2016 qualifies for tax relief. Mortgages taken out prior to 1 January 2004 and on or before 31 December 2012, are no longer eligible for mortgage interest relief. However, top up loans / equity release loans taken out since 1 January 2004 and on or before 31 December 2012, on these pre-2004 loans may be eligible for mortgage interest relief, provided they adhere to eligibility criteria.

First-time buyers

The rate of mortgage interest relief applicable to first-time buyers is 25% in tax-years 1 and 2 and 22.5% in tax-years 3, 4 and 5 and 20% for tax-years 6 and 7 of the mortgage on a maximum interest paid of €10,000 for single individuals / €20,000 for married or civil partners or widowed or surviving civil partners. First-time buyers relief ends after tax-year 7.

Non-first-time buyers

Non first-time buyers receive relief at the rate of 15% on a maximum of €3,000 for single individuals / €6,000 for married or civil partners or widowed or surviving civil partners interest per annum.

30% rate

With effect from 1 January 2012, a new rate of relief of 30% is available (subject to First Time Buyers and non First Time Buyer 'ceilings' as appropriate) in respect of qualifying interest paid during 2012 to 2017 on a qualifying loan taken out on or after 1 January 2004 and on or before 31 December 2008 to purchase an individual's first qualifying residence, or second or subsequent qualifying residence but only where the first qualifying residence was purchased on or after 1 January 2004.

Certain loans taken out in 2012 and 2013

Mortgage interest relief is available, in certain circumstances, for the tax years 2013 to 2017, subject to the appropriate rates and ceilings, in respect of interest paid on a loan:

- ◆ taken out in 2012 to **buy a site** but only where a residential premises is constructed on that site, and
- ◆ taken out in 2012 or 2013 to **construct a home on a site**, but only where such site was bought by way of a loan taken out in 2012, and
- ◆ to repair, develop or improve a home but only where loan approval was in place in 2012 and part of the loan was used in 2012 and the balance used in 2013 on such repair, development or improvement.

In all instances above, in order to qualify for relief, any necessary planning permission must have been in place on or before 31 December 2012.

Interest relief on a loan applied in acquiring an interest or share in a partnership [513]

There is no restriction to the amount of relief available on a loan applied in acquiring an interest or share in a farming partnership.

In respect of all other loans, relief is only available where the loan was taken out on or before the 15 October

2013, or if taken out after that date, the loan was a replacement loan for an existing loan that was taken out before that date. Relief is restricted to 25% of the interest paid for 2016.

Where the loan was taken out after that date (and is not a replacement loan) no relief is due and the interest should not be entered in the tax return.

Significant Buildings and Gardens (Section 482) [514]

Section 482 provides relief for expenditure incurred on the repair, maintenance or restoration of approved buildings / gardens in the State. Qualifying expenditure is treated for tax purposes as if it were a loss in a separate trade carried on by the owner / occupier of an approved building / garden and the normal rules for giving loss relief apply. Unrelieved qualifying expenditure incurred in a particular chargeable period can be carried forward for two subsequent chargeable periods.

Panel I - Claim For Tax Credits, Allowances, Reliefs and Health Expenses [515 - 545]

Table B on page 64 of this Guide lists the amounts of individual Personal Tax Credits available.

Home Carer Tax Credit [515]

Home Carer tax credit may be due if you are jointly assessed to tax and you or your spouse or civil partner, as a Home Carer, provided care for:

- ◆ A child for whom you are entitled to Social Welfare child benefit,
- ◆ A person who is permanently incapacitated by reason of mental or physical infirmity and such person normally resides with you for the year, or
- ◆ A person aged 65 or over.

A spouse or civil partner is not a dependent person for the purposes of this relief.

Home Carer tax credit is €1,000 subject to the Home Carer's income, if any, remaining below an income threshold of €7,200, [515(a)]. Where the income exceeds this threshold the tax credit is reduced by one half of the amount of Home Carer's income that exceeds €7,200. Accordingly no credit is due if income exceeds €9,200.

The following table gives examples of the relevant tax credit due as the income of the Home Carer increases.

Income of Home Carer	Tax Credit Due	Restriction of Tax Credit
€7,200	€1,000	
€7,450	€875	$€7,450 - €7,200 = €250 \div 2 = €125$
€7,950	€625	$€7,950 - €7,200 = €750 \div 2 = €375$
€8,200	€500	$€8,200 - €7,200 = €1,000 \div 2 = €500$
€8,450	€375	$€8,450 - €7,200 = €1,250 \div 2 = €625$
€8,700	€250	$€8,700 - €7,200 = €1,500 \div 2 = €750$
€8,950	€125	$€8,950 - €7,200 = €1,750 \div 2 = €875$
€9,050	75	$€9,050 - €7,200 = €1,850 \div 2 = €925$
€9,200	NIL	$€9,200 - €7,200 = €2,000 \div 2 = €1,000$
For example, where the income of the Home Carer is €8,450 the entry in Line 515(a) will be €375 (Max. 1,000 - 625)		

The tax credit is not available to married couples and civil partners who are taxed as single persons.

'Look-back' year [515(b)]

Where the Home Carer's 2016 income exceeds the threshold, Home Carer tax credit may still be due provided that all other conditions are met and the credit was granted in 2015 on the basis as set out above. Where credit is due under this paragraph, the relief due is the same amount as the credit granted in 2015. Effectively this means the tax credit can be due for a year in which the Home Carer's income exceeds the threshold, but only for the immediate following year and subject to a maximum of the tax credit granted in the previous year. See following example:

Example:

Home Carer's income 2015	€5,500	
Tax credit due 2015		€600
Home Carer's income 2016	€9,200	
Tax credit due in 2016		€600
Home Carer's income 2017	€9,200	
Tax credit due in 2017		Nil

Married couples and civil partners cannot receive both the Home Carer tax credit and the increased standard rate band for dual income couples.

Even if you make a claim for Home Carer tax credit, if the increased standard rate band is more beneficial in your circumstances it will be granted instead.

Employee Tax Credit [516]

An individual whose income is subject to PAYE (i.e. wages, salary, occupational pension) may claim an employee tax credit of up to €1,650. An employee tax credit may also be claimed by:

- ◆ Recipients of Social Welfare payments; Widow, Widower's or Surviving Civil Partners (Contributory) Pension, Guardian's Payment (Contributory), State Pension (Transition), State Pension (Contributory), Illness Benefit, Occupational Injury Benefit and Jobseekers Benefit,
- ◆ Irish resident recipients of social security pensions received from another EU member state,
- ◆ Taxpayers who are employed abroad and who pay tax abroad on their earnings under a PAYE type system (or a similar system where tax is deducted at source from the earnings of the employment). To qualify for the relief, the earnings from the employment must be subject to Irish tax.

The employee tax credit **cannot** be claimed by:

- ◆ A spouse or civil partner or child of an individual or of an individual's civil partner in respect of emoluments paid by the individual (or by a partnership in which the individual is a partner),
- ◆ A proprietary director or their spouse or civil partner or child, or child of an individual's civil partner in respect of emoluments received from the company in which the director has a proprietary interest. [A proprietary director of a company is a director who controls either directly or indirectly more than 15% of the share capital of that company]. However, children of proprietary directors or their civil partners are entitled to the employee tax credit if:
 - ◆ The employment is in a qualifying PRSI contribution class,
 - ◆ PAYE has been correctly applied to the child's income,
 - ◆ It is a condition of the employment that the child is required and devotes substantially the whole of his / her time to the duties of the employment,
 - ◆ They are paid at least €4,572 per year (may be apportioned on a time basis).

Earned Income Tax Credit [517]

The Earned Income tax credit can be claimed by self-employed individuals and proprietary directors who are ineligible for the Employee tax credit. The maximum relief is €550 for 2016 and €950 for 2017. Where an individual's earned income is below €2,750, the tax credit is restricted to 20 per cent of the income. For example, total earned income €2,000 @ 20% = €400 (max.).

Note: Where an individual has income that qualifies for the Earned Income tax credit and the Employee tax credit, the combined tax credits cannot exceed €1,650.

Blind Person's Tax Credit [518]

Blind Person's Tax Credit [518(a)]

Blind Person's tax credit at standard rate (20%) can be claimed by a single person or where one or both spouses or civil partners are blind at any time during the tax year.

The tax credit is not due in the case of a blind child. Incapacitated Child tax credit may be claimed instead at **Line 526**.

Blind Person / Guide Dog [518(b)]

An allowance is available where an individual maintains a trained Guide Dog. Relief in respect of a Guide Dog is allowable under Health Expenses.

Dependent Relative Tax Credit [519]

If you maintain at your own expense:

- ◆ a relative, including a relative of your spouse or civil partner, who is unable to maintain themselves by reason of old age or infirmity,
- ◆ a widowed father or widowed mother of yourself or your spouse or civil partner regardless of the state of their health,
- ◆ a son or daughter who resides with you and on whose services you are compelled to depend due to old age or infirmity,

you can claim a Dependent Relative tax credit of €70.

If the income of the relative is in excess of €14,060 in 2016 or if another person is claiming this tax credit in full, you should not claim this tax credit.

Employing a Carer [520]

If you, your spouse or civil partner or a relative (includes a relative of your spouse or civil partner and a person in respect of whom the claimant is or was the legal guardian) are totally incapacitated throughout a tax year and you **employ** a person to care for the incapacitated person you may be entitled to claim this relief.

The relief is **not** due to you if the individual is employed as a housekeeper only, or if Dependent Relative tax credit or Incapacitated Child tax credit has been claimed in respect of that individual.

The amount of the relief is the cost of employing the Carer, subject to an overall maximum amount of €75,000, less any amount recovered from a Health Authority, Local Authority, etc. Where two or more persons employ the individual the relief is apportioned between them in proportion to the amount borne by each person. Relief is allowed at an individual's highest rate of tax.

Permanent Health Benefit (where not deducted from Gross Pay by Employer) [521]

Where your employer **deducts** the contributions from gross pay the tax relief is given at source. It will therefore, **not** be necessary to claim relief in your annual tax Return.

Where your employer does **not deduct** the contributions from gross pay, relief **can** be claimed by completing **Line 521** where you as an individual paid a premium on a policy to secure the continuance of income and payment of benefits during disablement through accident, injury or sickness. The policy must be approved by Revenue as a Permanent Health Benefit Scheme. Only the portion of the premium that is attributable to the provision of Permanent Health Benefit qualifies for relief at the individual's highest rate. Maximum relief cannot exceed 10% of an individual's total income.

Business Expansion Scheme (BES) Relief / Employment & Investment Incentive (EII) [522] Seed Capital Scheme (Investment by new entrepreneurs)

This relief provides an incentive for employees (or the unemployed) who intend to start up their own business.

Conditions to Qualify: The Investor must be or have been in PAYE-type employment. The Company must be set up with the intention to carry on Qualifying Trading Operations.

Relief Due: The amount of the deduction is limited to €100,000 in respect of any **one** year, **with respect to investments made on or after 1 January 2007**. Total investment is subject to an overall maximum refund of the tax paid on **€600,000**, looking back over the previous six tax years prior to year of assessment in which the investment was made.

BES / EII relief

Relief may be claimed for the amount subscribed for eligible shares issued in the year 2016 unless already claimed in the previous year of assessment. Where the subscription is made through a Designated Fund, but the fund does not invest monies within the year of assessment, you can **elect** to claim relief on such a subscription in the year in which you subscribe to the fund, rather than in the year in which the fund invests in eligible shares **provided** the fund invests the monies subscribed in eligible shares within the next year of assessment (and issues **RICT5** certificates in support of each investment in each company invested in by the Fund). If full

relief cannot be obtained in the year of assessment in which the monies were invested, you can claim relief in the following year for any balance - subject to the overriding limits for that year.

A claim for relief must be made within two years of the end of the year of assessment in which the shares are issued. Also, a claim to BES relief may be made only where the claimant, if requested to do so, can produce a relevant **RICT3** certificate in support of the claim. Relief is given as a deduction from **total income** before tax credits and allowances.

- ◆ Maximum relief - €150,000 - *In any tax year,*
- ◆ Minimum relief - €250.

A married couple or a couple in a civil partnership may each claim €150,000 relief **provided** each has sufficient income in their own right.

Where the full amount of investment cannot be granted relief in the year due to:

- ◆ amount greater than total income, **or**
- ◆ amount greater than €150,000,

the excess may be carried forward (but not later than 2020) and granted firstly, in respect of the amount carried forward and, then, in respect of the amount subscribed for shares in that particular year.

Enter the relevant RICT3 certificate number(s), or, if appropriate, the Designated Fund's reference number(s) at **Line 522(b)(ii)**.

The Employment Investment Incentive (EII) is a tax relief incentive scheme that provides tax relief for investment in certain corporate trades. The scheme has replaced the Business Expansion Scheme (BES). Please refer to IT55 Guide on our website for further information on EII.

Film Relief [523]

An individual who makes investments in a company which is:

- (a) Incorporated and resident in the State, or
- (b) Is carrying on a trade in the State through a branch or agency,

and exists solely for the purpose of the production and distribution of only one qualifying film can claim Film Relief.

Film Relief can be granted in addition to BES / EII Relief.

Relief is given by way of deduction from total income. Where the full amount of investment cannot be relieved, the excess may be carried forward but not later than 2020.

Enter all relevant Film3 certificate numbers at **Line 523(b)**.

Qualifying Tuition Fees paid in 2016 [524]

Tax relief at standard rate (20%) is available for the following:

- ◆ Tuition fees including student contribution paid to approved colleges for the 2016 academic year commencing on or after 1 August 2016 in respect of approved undergraduate courses of at least two years duration. The maximum limit relief in respect of qualifying fees for the academic year 2016 is €7,000 (including student contribution) in respect of each course.
- ◆ Tuition fees paid for certain training courses in the areas of information technology and foreign languages. The relief applies to fees ranging from €315 to €1,270 per student.
- ◆ Tuition fees paid in respect of certain postgraduate courses, subject to a maximum relief of €7,000 per course.

The first €3,000 of each claim is disregarded for relief, where any one of the students in respect of whom the relief is claimed is a full-time student. In the case of a claim for relief where **all** the students concerned are studying part-time, the first €1,500 of the claim for relief is disregarded.

Lists of approved courses in approved colleges are available on Revenue's website.

Note: Relief is not available in respect of exam fees, administration fees, registration fees, etc.

Single Person Child Carer Credit [525]

To qualify for this tax credit the primary claimant must be a single person who has a qualifying child residing with him or her, or a person who has custody of and maintains a qualifying child who is living with him or her for the whole or greater part of the year of assessment (i.e. more than six months).

If the child was born during the year, they must reside with the claimant for the greater part of the year from birth. A primary claimant can only be someone who is single, widowed, a surviving civil partner, deserted, separated (from spouse or civil partner), divorced or whose civil partnership has been dissolved.

A child can only be the subject of one claim, and a claimant can only make a claim for one child for a year of assessment irrespective of the number of children that reside with him or her. The credit will be granted for a child up to the age of 18 years or, if over 18 years, where they are receiving full-time instruction.

The credit can also be claimed in the case of a permanently incapacitated child where the incapacity occurred before age 21, or if older, while the child was in full-time instruction.

Note: Full-time instruction does not include post graduate and doctorate programmes where the student is primarily involved in self-managed research and learning.

The relevant claim form **SPCC1**, available on www.revenue.ie or from any Revenue office, must be completed and submitted to your Revenue office for the initial claim.

Relinquishing a claim to the Single Person Child Carer Credit in favour of another claimant

The primary claimant of the credit may, if they wish, relinquish their entitlement to this tax credit to another individual by completing the relevant section on **Form SPCC1**. However, once it is relinquished and claimed by another individual, known as the secondary claimant, the tax credit stays with the secondary claimant for the remainder of that tax year. If the primary claimant withdraws their relinquishment later, they cannot avail of the credit until the year following the year in which the relinquishment was withdrawn. The primary claimant must notify their Revenue office, in writing, if they wish to withdraw a relinquishment.

The secondary claimant must also be someone who is single, widowed, a surviving civil partner, deserted, separated (from spouse or civil partner), divorced or whose civil partnership has been dissolved.

A qualifying child must reside with the secondary claimant for not less than 100 days during the tax year. For the purposes of this legislation the greater part of a day will be counted as a day. Therefore, where a child resides with a claimant from before noon on one day and stays with that claimant until the following evening that would be counted as two days.

The relevant claim form **SPCC2**, available on www.revenue.ie or from any Revenue office, must be completed by the secondary claimant and submitted to their Revenue office. This form is **not** to be completed unless the primary claimant has relinquished their entitlement to the tax credit.

Only one credit will be granted in the year to either the primary claimant or secondary claimant.

Incapacitated Child Tax Credit [526]

You are entitled to an Incapacitated Child tax credit if you are the parent / guardian of a child, (including stepchild, legally adopted child or informally adopted child) who is permanently incapacitated, either physically or mentally, from maintaining themselves and:

- ◆ who is under 18 years of age, **or**
- ◆ who, if over 18 years of age at the commencement of the year 2016, had become permanently incapacitated before reaching 21 years of age, **or**
- ◆ who, if over 21 years of age became permanently incapacitated after reaching the age of 21, but who was still in full-time education or while training for a trade or profession for a minimum of two years.

A child under the age of 18 years shall be regarded as permanently incapacitated by reason of mental or physical infirmity only if the infirmity is such that there would be a reasonable expectation that if the child were over the age of 18 years the child would be incapacitated from maintaining themselves.

Where more than one child is incapacitated a tax credit may be claimed for each child. You must hold a certificate from a qualified medical practitioner that certifies that the conditions necessary to avail of the tax credit have been satisfied. In the event of an audit it will be necessary for you to produce this certificate. Where all the conditions for the tax credit are not satisfied you may be entitled to claim Dependent Relative tax credit, see Note for **Line 519** on page 47 of this Guide.

Employer paid Medical Insurance [527]

This section only applies where **your employer paid Medical Insurance premiums on your behalf** (or on behalf of your dependents). This includes Dental Insurance, paid by your employers on your behalf, for non-routine dental treatment.

Relief for medical insurance paid by you, either direct to the insurance provider or deducted from your salary as part of a group scheme, **is given at source and should not be claimed in this form.**

To claim relief in respect of medical insurance paid by your employer, provide the information requested in the form.

Relief is 20% of the amount of the premium, restricted to €1,000 where the person covered by the policy is an adult, and restricted to €500 where that person is a child. For policies renewed or entered into on or after 1 May 2015, the full adult maximum amount of €1,000, or the relevant premium where this is lower, applies for all individuals aged 21 and over, regardless of whether they are availing of a child premium. These amounts are where the policy is for a full twelve months. Where it is for a shorter period (e.g. only taken out half way through the year) the amounts are reduced on a pro rata basis.

If more than three individuals are covered by the policy, provide the relevant information for the remaining individuals in a note attached to the Form 11.

Owner Occupier Relief [528]

Owner Occupier Relief applies where an individual purchases a newly constructed property or converts / refurbishes an existing property that is sited wholly within a designated area under a property based incentive scheme. The claimant must be the first occupier after expenditure has been incurred and must occupy the premises as a sole or main residence. No deduction is given for a year if the dwelling is not used for this purpose.

The amount of the deduction is 5% of the expenditure per annum for a newly constructed property or 10% of the expenditure per annum for conversions / refurbishments. The deduction is allowed at the individual's marginal rate of tax for ten years.

Where you are claiming relief under this incentive scheme you must give details in Panel N on page 30 of the Return. See notes for Panel N on pages 57 and 58 of this Guide.

Owner Occupier Relief is calculated as follows:

$$\text{Purchase price} \quad \times \quad \frac{\text{Construction costs}}{(\text{Site costs} + \text{Construction costs})}$$

Example:

Apartment purchased for €180,000 in a designated area and immediately occupied as a sole / main residence. Site costs of €20,000 and construction costs of €140,000.

$$€180,000 \quad \times \quad \frac{140,000}{160,000} \quad = \quad €157,500$$

$$\text{Owner Occupier Relief} \quad \quad \quad €157,500$$

The relief, €157,500 @ 5% = €7,875, is due for ten years provided the apartment continues to be the sole or main residence of the owner.

There is no clawback of the relief if the property is sold within the ten year period, but the relief cannot be passed to a subsequent purchaser.

Owner Occupiers who share their property with family or friends are entitled to the relief, provided the Owner Occupier uses the property as a sole or main residence. Any income from the sharing arrangement is assessable on the Owner Occupier and should be included at **Lines 201-206** inclusive. If Rent-a-Room Relief applies the income should be returned at **Line 414**.

Home Renovation Incentive (HRI) [529]

The Home Renovation Incentive provides for tax relief for homeowners and certain landlords by way of an income tax credit equal to 13.5% of qualifying expenditure incurred on repair, renovation or improvement work carried out on an individual's property. The work must be carried out by a qualifying contractor. See Revenue's website for more information on HRI.

Job Assist Allowance [530]

Additional tax relief at the individual's highest rate of tax, i.e. 20% or 40% is available for people who have been unemployed for one year or more and who take up a qualifying employment. Relief in the first year of employment is €3,810 plus €1,270 for each qualifying child, reducing to two-thirds in year two and one-third in year three as set out in the table below. This relief is also available for individuals who have been in receipt of Disability Allowance.

Blind Person's Allowance. Invalidation Pension for 12 months or more. Illness Benefit for 18 months or more, or released after 12 months or more in prison.

There are a number of conditions that must be satisfied in relation to the employment and the individual. If you require further information on this subject, it is available on our website or from your local Revenue office.

	Extra Personal Tax Allowance	Child Tax Allowance for each qualifying child
Year 1	€3,810	€1,270
Year 2	€2,540	€850
Year 3	€1,270	€425

Note: this scheme has ended for all employments commencing on or after **1 July 2013**. Tax relief under the scheme will continue to be available for successful claims processed for employments that commenced on or before 30 June 2013 until the end of their natural lifecycle.

Seafarer Allowance [531]

A tax allowance of €6,350 is available for Seafarers who are employed at sea on a voyage to or from a foreign port for at least 161 days in the tax year. It also applies to Seafarers on vessels which service drilling rigs. The allowance can only be set against this employment. It cannot be set against any other income of the individual or their spouse or civil partner.

The allowance is only available to those who are employed on a sea-going ship, other than a fishing vessel, which is registered in the shipping register of a European Member State and is used solely for the purpose of carrying passengers or cargo for reward.

Certain other conditions apply and if you are unsure of your entitlement to this allowance further information is available on our website or from your local Revenue office.

Rent Tax Credit [532]

If you pay rent on private rented accommodation you may obtain rent relief. Rent paid must be in respect of private rented accommodation used as a sole or main residence. This includes rent paid for a bedsit, a flat, an apartment or house. It does **not** include rent paid to Local Authorities / State Agencies or under a lease agreement of 50 years or more.

Subject to the maximum limits shown below, relief at the standard rate of tax (20%) will be based on the actual rent paid in the income tax year. If the actual rent paid is more than the limit shown in the following chart, the relief will be restricted to the relevant maximum tax credit.

Note: For 2010 and subsequent years rent relief is only due to individuals who on 7 December 2010 were paying rent under a tenancy.

Personal Circumstances	Relief - max. limits
Single under 55	€400
Single 55 or over	€800
Widowed or a Surviving Civil Partner, Married or in a Civil Partnership under 55	€800
Widowed or a Surviving Civil Partner, Married or in a Civil Partnership 55 or over	€1,600

Example: Single person, under 55, Rent paid €3,000. Max allowable relief €400 x 20% = €80 tax credit.

Completion of this panel **does not** fulfil your obligation to complete **Form Rent 1**. If you require further information on this subject, you should view www.revenue.ie or contact your local Revenue office.

If your landlord resides outside the country and you pay the rent directly to them or into their bank account in the State or abroad, you must deduct tax at the standard rate of tax, (20%), from the gross rent payable. You account for the tax deducted by entering the gross rent payable to the non-resident landlord at **Line 501**, Panel H, of the Return (see page 38 / 39 of this Guide).

Year of Marriage or Registration of a Civil Partnership Review [533]

This section allows you to claim relief in the 'Year of Marriage or Registration of a Civil Partnership' if you were married or registered in a civil partnership in 2016. For tax purposes, both individuals continue to be treated as two single persons in the year of marriage or year of registration of the civil partnership.

However, if the tax payable as two single persons in that year is greater than the tax which would be payable as a married couple or civil partners - a refund of the difference can be claimed.

A refund of tax for the year of marriage or registration of civil partnership would normally only arise where a couple are taxed at different tax rates and one spouse or civil partner could benefit from the unused Standard Rate Cut-Off Point or from some of the unused tax credits of the other spouse or civil partner. Information leaflet IT2 supplies further information on how to calculate this amount and is available on our website or from our Forms and Leaflets Section.

If you wish to claim this relief, insert in the box at (a). State the amount of your spouse's or civil partner's income for 2016 at (b). State the repayment amount claimed in respect of self at (c). State the amount of repayment claimed in respect of your spouse or civil partner at (d). Your spouse or civil partner will have to make a separate claim for relief under Section 1020 / 1030E TCA 1997 in their return.

Tax Treatment in Year of Marriage or Civil Partnership Registration

Example:

You, your spouse or civil partner entered a marriage or civil partnership on 10/7/2016. You earned €48,000 in 2016 and your spouse or civil partner earned €24,000.

Tax payable by you and your spouse or civil partner as Single People:

Self

Income	€48,000	
Standard Rate Band	€33,800 x 20% =	€6,760
	€14,200 x 40% =	<u>€5,680</u>
		€12,440

Tax Credits

Personal Tax Credit	€1,650
Employee Tax Credit	<u>€1,650</u>
	€3,300

Tax Payable (€12,440 - €3,300) = €9,140

Spouse or Civil Partner

Income	€24,000
Tax Bands	€24,000 x 20% = €4,800

Tax Credits

Personal Tax Credit	€1,650
Employee Tax Credit	<u>€1,650</u>
	€3,300

Tax Payable (€4,800 - €3,300) = €1,500

Combined Tax Payable	Self	€9,140
	Spouse or civil partner	<u>€1,500</u>
		€10,640

Tax payable by you and your spouse or civil partner under Joint Assessment as a Couple in a marriage or civil partnership would be:

Income	Self	€48,000
	Spouse or civil partner	<u>€24,000</u>
Total		€72,000

Standard rate band

Self	€42,800 x 20% =	€8,560
	€ 5,200 x 40% =	€2,080
Spouse or civil partner	€24,000 x 20% =	€4,800
		€15,440

Tax Credits

Married persons or civil partners tax credit	€3,300
Employee Tax Credit x 2	<u>€3,300</u>
	€6,600

Tax payable (€15,440 - €6,600) = €8,840

The difference between the tax payable by you and your spouse or civil partner as single persons and the tax

payable by you as a couple in a marriage or civil partnership is €1,800, i.e. €10,640 less €8,840. This amount of €1,800 is apportioned by the number of months for which you have been married or registered in a civil partnership in the tax year, i.e. $€1,800 \times 6/12 = €900$.

You and your spouse or civil partner can claim a refund of this €900 after the end of the tax year. The refund is apportioned between you both in proportion to the tax payable by each of you as follows:

The amount to be repaid to you is:

$$(€900 \times €9,140) / €10,640 = €773.12$$

The amount to be repaid to your spouse or civil partner is:

$$(€900 \times €1,500) / €10,640 = €126.88$$

Donations paid to Approved Sports Bodies [534]

The arrangements for allowing tax relief on donations will depend on whether the donor is a PAYE-only taxpayer or a Self-Assessment taxpayer. These arrangements are:

- ◆ For a PAYE-only taxpayer who makes a donation, the relief will be given on a 'grossed-up' basis to the Approved Body. In this circumstance, relief **should not** be claimed on the Return in respect of a PAYE-only taxpayer and a non-proprietary director under the PAYE system,
- ◆ For an individual who pays tax on a self-assessment basis, including a proprietary director, relief can be claimed for donations made by entering the relevant details at **Line 534** of the Return.

The minimum donation for the tax year is €250. Relief is granted at an individual's highest rate of tax.

Health Expenses [535 - 546]

If you are completing a Form 11, or Form 11S it is sufficient to enter the relevant details in this section and retain a completed Form Med 1.

If you are completing Form 12 or Form 12S it will be necessary to complete and submit a Form Med 1 if you haven't already done so.

Please ensure that you only claim for amounts for which you hold receipts. **You need not send in the receipts to Revenue with your claim. However, you must keep the receipts as you may be asked to send them in if your claim is chosen for examination.**

Expenses that do not qualify

- ◆ The cost of **Sight testing and advice** as to the use, supply, repair or maintenance of spectacles or contact lenses.
- ◆ **Routine dental treatment** which is defined as 'the extraction, scaling and filling of teeth and the provision and repair of artificial teeth or dentures'.

Qualifying Medical Expenses

The following **notes** may be of assistance when completing **Lines 535 - 546**, or a Form Med 1, as applicable. The headings under which expenses qualify are listed on page 2 of Form Med 1. You must have paid or incurred the amounts claimed on treatment **prescribed by or on the advice of a qualifying practitioner**. Drugs and medicines can only be claimed where supplied on the prescription of a practitioner.

'Other' Health Expenses incurred (can include)

Un-reimbursed Prescribed Drugs / Medicines

You can claim tax relief for expenditure of amounts up to €144 per calendar month for prescribed medication. Expenditure in excess of €144 per month is recoverable from your Local Health Office (formerly known as your health board) under the Drugs Payment Scheme. If you have not done so already, you can register with your Local Health Office as an individual / family for a Drugs Payment Card. Using this Drugs Payment Card you do not pay more than €144 per month for prescribed medication and thus avoid having to claim amounts in excess of €144 from your Local Health Office.

Qualifying Dental Expenses

A **Form Med 2**, completed and signed by the Dental Practitioner, should be retained by you if completing Form 11, Form 11S, Form 12 or Form 12S. A list of qualifying Dental Expenses is listed on the reverse side of the Form Med 2 and is also available on Revenue's website www.revenue.ie, from Revenue's Forms and Leaflets service by phoning LoCall 1890 306 706.

'Other Qualifying Expenses' [541] include:

- ◆ Maternity Care: the cost of providing routine health care in respect of pregnancy is allowable,
- ◆ Coeliac Patients: Coeliac patients may claim relief in respect of the cost of gluten-free food products

manufactured specifically for coeliacs (as such food may be considered to be an allowable expense for the purposes of a health expenses claim).

A letter from a doctor stating that the taxpayer is a coeliac sufferer is acceptable.

Receipts are not confined to those from a chemist - receipts from supermarkets, etc. in respect of gluten-free food products manufactured specifically for coeliac patients are also acceptable.

- ◆ Diabetic Patients: Diabetic patients may claim tax relief in respect of the cost of food products manufactured specifically for diabetics (as such food may be considered to be an allowable expense for the purposes of a health expenses claim).
A letter from a doctor stating that the taxpayer is diabetic is acceptable.
Receipts are not confined to those from a chemist - receipts from supermarkets, etc. in respect of food products manufactured specifically for diabetics are also acceptable.
- ◆ Child Oncology Patients and Children with Permanent Disabilities: in certain circumstances tax relief may be claimed under the heading of health expenses for Overnight Accommodation, Travel, Telephone, and Hygiene products and special clothing,
- ◆ Kidney Patients: For Hospital Dialysis patients, Home Dialysis patients and Chronic Ambulatory Peritoneal Dialysis [CAPD] patients certain items of expenditure and travel expenses can be claimed under health expenses,
- ◆ Hearing aids,
- ◆ Glucometer machine for a diabetic,
- ◆ In-Vitro fertilisation,
- ◆ Orthopaedic bed / chair,
- ◆ Transport by ambulance,
- ◆ Wheelchair / wheelchair lift (no relief is due for alteration to the building to facilitate a lift),
- ◆ Engaging a qualified nurse in the case of a serious illness,
- ◆ Cost of a computer where it is necessary to alleviate communication problems of a person with a severe disability.

Where qualifying health care is only available outside Ireland, reasonable travelling and accommodation expenses can also be claimed. In such cases the expenses of one person accompanying the patient may also be allowed where the condition of the patient requires it.

Some medical expenses must be **prescribed by a doctor** to qualify for relief. For further information on these and any other health related expenses you should view www.revenue.ie or contact your local Revenue office.

Nursing Home Expenses [535 - 540]

If you maintain an individual on a full-time basis in a Nursing Home, enter the amount of the Health Expenses attributable to the individual in the box(es) provided **[535(a)]**.

State the name and address of the Nursing Home at **Line 535(b)**.

Deductions (sums received / receivable in respect of Nursing Home Expenses or 'Other' Health Expenses incurred) [536 - 539 & 541 - 546]

You cannot claim relief in respect of sums already received or due to be received from:

- ◆ Any public or local authority, e.g. your local Health Office (formerly known as your health board), **[536 - 539]**,
- ◆ Any medical Insurance policy, e.g. VHI, Laya Healthcare, Irish Life Health, etc. **[537 - 543]**,
- ◆ Any other source, e.g. Compensation, **[538 - 544]**.

You must give details of such amounts and deduct them from the total expenses claimed in Form 11 / Form 11S, or on Form Med 1 if you are completing Form 12 or Form 12S.

Calculation of relief

Nursing home Expenses: Relief is given at the highest rate of income tax at which you are chargeable for the year of claim.

'Other' Health Expenses incurred: Relief is given at the standard rate of income tax 20% for the year of claim.

Panel J - High-Income Individuals: Limitation on use of Reliefs [601-603]

For the tax year 2016 and subsequent years, the High-Income Individuals' restriction applies to an individual where **all** of the following three criteria apply:

- ◆ The Adjusted Income of the individual for the tax year is equal to or greater than an Income Threshold Amount which is, in general, **€125,000** but is less if the individual had ring-fenced income (e.g. deposit interest),
- ◆ The aggregate of specified reliefs that are used by the individual for the tax year is equal to or greater than a Relief Threshold Amount which is set at **€80,000**, and
- ◆ The aggregate of specified reliefs used by an individual for the tax year is greater than 20 per cent of the individual's adjusted income.

Adjusted income is calculated by adding the amount of specified reliefs used by an individual in a year to the amount of their taxable income for the year and then deducting any ring-fenced income. If the restriction applies to you (or your spouse or civil partner), this Panel and a Form RR1 should be completed. Please refer to the Guidance Document on the High-Income Individuals' Restriction on the Self-Assessment page of the Revenue website (www.revenue.ie) for further information.

In the case of a married couple or a couple in a civil partnership, the restriction is calculated separately for each spouse or civil partner. The income threshold amount, relief threshold amount, taxable income and adjusted income of each spouse or civil partner must be determined separately.

At Line 601, enter the amount of any **Excess Relief** being carried forward from earlier years in which the restriction applied.

Excess Relief is the amount of specified reliefs which were not allowed due to the application of the restriction. Excess relief coming forward is given as a separate deduction in 2016 (under Section 485F TCA 1997) in computing your taxable income for that year. It is given after all other tax reliefs for the year have been given and is treated as a Specified Relief to the extent to which it is actually used in 2016.

Transfer of Data from Form RR1 to Lines 602 and 603 (Panel J of the Form 11)

Amounts at Lines 602 and 603 should be transferred from the completed Form RR1:

- **Line 602** should state the amount(s) of Taxable Income for 2016, calculated on the basis that the limitation on use of reliefs does not apply. In the case of a married couple or a couple in a civil partnership, the original Taxable Income of each spouse or civil partner must be entered at this line, even though the restriction may apply to only one spouse or civil partner.
- **Line 603** should state the amount(s) of Recalculated Taxable Income for 2016. In the case of a married couple or a couple in a civil partnership where the restriction applies to only one spouse or civil partner, the original Taxable Income (if any) of the other spouse or civil partner should be re-entered at this line in the space relating to that other spouse or civil partner.

It is important to note that irrespective of the completion and submission of Form RR1, Panel N of Form 11 2016 - Property Based Incentives On Which Relief is Claimed in 2016 - must be completed as appropriate.

Panel K – Capital Acquisitions in 2016 [701]

If you received a gift or an inheritance in 2016, insert in the box.

Where the value of a gift or an inheritance, when added to the value of prior aggregable benefits (if any) received on or after 5 December 1991 within the same group, exceeds 80% of the relevant threshold, a Capital Acquisitions Tax return must be made.

A gift is treated as having been received on the date of the gift. An inheritance is generally treated as having been received on the date of death of a person.

The information given does not satisfy a requirement to file a Capital Acquisitions Tax return (Form IT38). If you need help in completing a Form IT38, you should consult Leaflet IT39 Guide to Completing the Gift / Inheritance Tax Self-Assessment Return. Completed Form IT38 should be sent to the Collector-General's Division. Form IT38 and Leaflet IT39 are available at www.revenue.ie/en/tax/cat/index.html or from our Forms and Leaflets Section.

Panel L – Capital Gains - Capital Gains for the year 1 January 2016 - 31 December 2016 [801 - 817]

General

Capital Gains Tax (CGT) is a tax on the disposal of certain assets owned by you or your spouse or civil partner. At its simplest, deducting the price you paid for an asset when you acquired it from the sale proceeds when you disposed of it gives you the chargeable gain.

Example

You purchased shares in January 2016 at a cost of €5,000 and sold them in August 2016 for €8,000. Assume you have no other Capital Gains, Losses or allowable expenditure:

Disposal proceeds	€8,000
Cost price	<u>€5,000</u>
Chargeable Gain	€3,000

Deduct:

Personal exemption	<u>€1,270</u>
Net Chargeable Gain	€1,730
Chargeable @ 33%	
Capital Gains Tax due	€570.90

Due Date for Payment of Capital Gains Tax

Capital Gains Tax is subject to Self-Assessment principles.

For 2016 the due date for paying CGT is determined by the date the asset was disposed of and the CGT tax year is divided into a revised set of two periods for CGT payment purposes as follows:

- ◆ Disposals between 1 January 2016 and 30 November 2016 inclusive - 'initial period' - CGT due by 15 December 2016
- ◆ Disposals between 1 December 2016 and 31 December 2016 inclusive - 'later period' - CGT due by 31 January 2017.

A refund may arise where, for example, a payment was made on a gain arising in the 'initial period' and a loss arises in the 'later period'.

While the payments must be made by these dates, the return of details of the gain is generally due on 31 October in the year following the year in which the disposal took place. If you disposed of chargeable assets during 2016 (1 January 2016 to 31 December 2016 inclusive) give the required details on the Return.

Blank CGT Payslips are available on Revenue's website www.revenue.ie, from the Collector-General's Division by phoning LoCall 1890 20 30 70 or +353 61 48 80 00 if outside the State.

You should retain your CGT calculations and supporting documentation (purchase / sale contracts, valuations, etc.) in case these are requested by Revenue for the purposes of a verification check or an audit.

More detailed information on CGT, exemptions, reliefs, worked examples and computation sheets, are available in Revenue's **Leaflet CGT 1 - Guide to Capital Gains Tax**. A smaller leaflet, **Leaflet CGT 2 – Capital Gains Tax - A Summary of the Main Features**, contains a computation sheet for straightforward disposals. Both leaflets are available on our website or from our Forms and Leaflets Section.

Notes on Completion of Lines [801 – 817]

In this panel you are required to give details in relation to disposals in the year 1 January 2016 to 31 December 2016.

You are not required to submit your computation with the Return but rather you are required to give the information requested on the Return.

At **Line 801** you should indicate the type of assets sold and the aggregate consideration for each asset and show the total consideration at **Line 801(I)**.

If any of the disposals involved a transaction which was not at arm's length insert in the appropriate box at **Line 802 or 803**.

If you are claiming reliefs such as retirement relief, principal private residence relief, etc.; you make the claim at **Line 805 or 806** as appropriate. The chargeable gain at **Line 807** should be net of any of the reliefs claimed here.

In **Lines 807 – 814** show details of the gains and losses arising on these disposals. In this section you should show how much of the gain applies to you and how much applies to your spouse or civil partner. You also claim the personal exemption at **Line 811**. This personal exemption is not transferable between spouses or civil partners.

In order that a correct acknowledgement of self-assessment can issue you have to complete **Lines 815 to 816**, which allocates the net chargeable gain to the relevant period, but if you have an overall CGT loss in 2016 there is no need to complete these lines.

Capital Gains Tax – Disposal of land under Compulsory Purchase Order (CPO) – S.542(1)(d) TCA 1997 – rate of charge to CGT [815(f) & 816(f)]

Where the chargeable gain in respect of a disposal to which the above section applies, is deemed to accrue in a year of assessment, which is later than the year of disposal, then the rate of CGT applicable, is that of the year of disposal. **Please note** that for disposals made before 4 February 2010 this treatment in relation to the timing of the accrual of the gain only applied to farmland disposed of for road-building purposes.

Example – Under a CPO of farmland for road-building purposes, the authority entered on the land (to which this provision applies), in 2005, this is the date of disposal. The rate of CGT was 20% in 2005. The compensation was not agreed at that time. The compensation is received in 2016, when the rate is 33%. The applicable rate is that which was in effect at the date of disposal, being 20% in this scenario (i.e. a disposal in 2005).

If the above section applies you will have to complete a Form CG1 2016 as the Form 11 / 1 / Form 11S 2016 does not cater for individuals with this type of chargeable gain. Form CG1 2016 is available on our website or from our Forms and Leaflets Service.

Double Taxation Relief [817]

Where an individual, who is chargeable to tax in Ireland in respect of a capital gain, is also taxed on the gain in another country, the foreign tax paid may be credited against the Irish Capital Gains Tax, if provided for in a Double Taxation Agreement with that country.

To claim a credit for this foreign tax, provide the information requested in the form, i.e. the amount of the gain, the country where the tax was paid and the amount of foreign tax for which Double Taxation Relief is now claimed.

Proof of the foreign tax paid must be retained as this may be requested in support of your claim; however it should not be sent in with the Form 11.

Panel M - Chargeable Assets Acquired in 2016 [818]

Enter the number of assets acquired and the consideration given under the appropriate categories (a-h) where relevant.

The consideration given will usually comprise money or money's worth for the acquisition of the asset. However, where a transaction occurs between connected persons or where the transaction is not conducted as a bargain at arm's length the amount entered on the form as the consideration given will be the market value of the asset at the time of acquisition. It may also be necessary to state the market value of the asset as the consideration given:

- ◆ Where the asset is acquired (wholly or partly) for a consideration that cannot be valued,
- ◆ Where the asset is acquired by means of distribution from a company, or
- ◆ Where the asset is acquired in connection with or in recognition of a person's employment, for example in the case of certain employee share schemes.

Panel N - Property Based Incentives on which Relief is claimed in 2016 [901- 933]

The specific schemes on which information is required are listed in **Panel N** of the Return. Where you are claiming relief in respect of any of these schemes you must provide the information requested in this part of the Return. Failure to fully and correctly complete **Panel N** may leave you liable to penalties under Section 1052 TCA 1997 and / or a surcharge under Section 1084 TCA 1997.

This reporting requirement was introduced in 2004, however there is no change to the method of claiming or granting the relief. This page in the Return is for statistical purposes only; its purpose is to identify the specific relief claimed and to provide a breakdown of the amount claimed under each scheme.

The information to be provided refers to reliefs under two main headings, **Residential Property** and **Industrial Buildings Allowance** as appropriate. Under each of these headings information is sought on Owner Occupier and Investor-Lessor separately.

The figure to be entered is the amount claimed in a particular year. It should not include amounts carried forward into the year either as Losses or Capital Allowances, see following examples.

Residential Property

Owner Occupier - the amount to be entered here is the annual amount of the allowance.

Example:

A qualifying apartment in a Rural Renewal area purchased in 2007 with qualifying expenditure of €130,000. Relief of 5% is due for 2016 of €6,500. The amount to be entered in **Panel N, Line 904**, is €6,500.

Investor - Lessor - this relief, commonly known as 'Section 23' relief, is granted in full in the year in which the property is first let under a qualifying lease, information on this relief is only required in that year. Unused relief is carried forward as a rental loss and is not required in this Panel of the Return.

Example:

In 2016 an investor purchased a property in a Town Renewal scheme with qualifying expenditure amounting to €140,000. The results from property lettings for 2016 are as follows:

	Property 1	Property 2	Property 3
Gross rent	€5,000	€8,000	€15,000
Miscellaneous expenses	€2,000	€4,000	€2,000
Section 23 relief	€140,000		
Surplus		€4,000	€13,000
Deficit	€137,000		
Rental loss 2016			€120,000

The amount to be entered in **Panel N, Line 902**, is €140,000

Industrial Buildings Allowance

An **Owner Occupier** is a person who has the 'relevant interest' in a property and the property is in use for the purpose of a trade carried on by that person.

An **Investor-Lessor** is an individual who lets a building to a lessee and who has the relevant interest in respect of the qualifying expenditure. The amount to be entered for both Owner Occupier and Investor – Lessor is the amount of the Capital Allowance claimed for 2016 ignoring amounts carried in from earlier years.

Example:

An investor has incurred allowable expenditure in a qualifying hotel of €2,750,000, which qualifies for an annual Writing-Down Allowance of 15% (€412,500).

Writing-Down Allowance claimed for 2016	€412,500
Unused Capital Allowances forward from previous years (say)	<u>€118,000</u>
Total allowances available for 2016	€530,500
Amount used in 2016 (say)	<u>€117,000</u>
Balance for carry forward to 2017	€413,500

The amount to be entered in **Panel N, Line 917**, is €412,500 (Writing-Down Allowance claimed for the year whether fully utilised or not).

Partnerships

Where you have invested in a property based incentive scheme through a partnership you are still required to account for your share of the relief in this Panel of the Return.

Married Couples and Couples in Civil Partnerships

Where married couples or couples in civil partnerships are assessed under Section 1017 or Section 1031C TCA 1997, i.e. under joint assessment, they file a single tax Return. As there are not separate sections for self and spouse or civil partner in this Panel of the Return, an aggregate figure is required for each relief. If both spouses or civil partners have claimed relief for the same type of investment the aggregate should be entered at the appropriate line.

Schemes not listed in Panel N

The majority of property based incentive schemes on which relief can be claimed are listed at **Lines 901 - 932** inclusive. However, there are certain older schemes where you may still be claiming relief. Where you are claiming relief in respect of an investment in a scheme not listed in this panel the name of the relevant scheme and the amount of relief claimed should be entered in **Line 933**. If there were investments in more than one of these unlisted schemes write in the names of the schemes and enter a single total figure.

PANEL O - Self-Assessment made under Chapter 4 of Part 41A [934 - 935]

The rules relating to the making of assessments changed for the year 2016. You must, in addition to completing your annual return of income form – Form 11 – make a self-assessment for the year 2016. You make this self-assessment by completing the self-assessment section of the Form 11. If you do not make this self-assessment you may be liable to a penalty of €250.

However, you do not have to make a self-assessment if you return the completed Form 11 to the address shown on page 1 on or before the 31 August 2017. If you file your completed return on or before that date Revenue will make the self-assessment on your behalf.

If you make your own self-assessment, you must, in addition to signing the declaration on page 1 of the form, sign the declaration in the self-assessment panel. If you do not sign this declaration you will not have made a self-assessment.

When completing the self-assessment panel you should note the following:

- 934(a) This is the amount of Total Income for this period before deductions or allowances.
- 934(b)(i) This is the amount of income tax chargeable after taking account of any deductions, reliefs and allowances.
- 934(b)(ii) This is the amount of USC chargeable; note USC for self and spouse or civil partner should be recorded separately.
- 934(b)(iv) This is the amount of PRSI chargeable; note PRSI for self and spouse or civil partner should be recorded separately.
- 934(b)(vi) This is the sum of Income Tax, USC, and PRSI chargeable.
- 934(c)(i) This is the amount of tax payable for the period, which is computed by reducing the amount of tax chargeable by the amount of any tax credits due, but before taking account of any refund or offset of tax withheld at source already made by Revenue.
- 934(c)(iii) The amount of any refund of tax withheld at source (e.g. interim refund of PSWT) should be entered here.
- 934(d)&(e) This is the amount of tax payable, adjusted for any refund or offset of tax withheld at source already made by Revenue.
- 934(f) If you file this return after the 31 October 2017 you must include a late filing surcharge with your self-assessment. This surcharge is 5% of your tax liability where the return is submitted within two months, otherwise it is 10%. The surcharge is calculated on the amount of tax payable above.
- 934(g) If you file this return on time, but at the date of filing, you have failed to submit your Local Property Tax return or have failed to either pay the LPT due or enter into an agreed payment arrangement, a surcharge should be added to the final liability as if this return was filed late by two months or more.
- 934(h) In general, this is the amount of preliminary tax paid for 2016.
- 934(i) Enter any balance of tax payable / overpaid for this period in the appropriate field
- (i)&(ii)

Remember: You do not have to complete the self-assessment panel if you submit this return to Revenue on or before 31 August 2017. If you do not submit the Form 11 by that date, you may be liable to a penalty of €250 if you do not complete the self-assessment section in that form. By using ROS you can instantly and accurately calculate your Income Tax liability.

Part Three

Income Tax Calculation Guide 2016

ROS Offline Application

When calculating your tax liability for October 2017 you should consider the ROS Offline Application. This is an application that can be installed on your computer allowing you to complete a 2016 Form 11 (and other ROS forms) when you are not connected to the internet.

For more information - Access ROS Offline via www.revenue.ie -> Get Desktop Apps

The following pages are a guide to assist you in calculating your income tax liability.

To meet your Pay and File obligations you will **need to know** your tax liability by the Pay and File deadline, 31 October 2017. Before proceeding to calculate your liability it is recommended that you re-read the introduction on pages 4 to 10 of this Guide.

Remember, that if you want Revenue to calculate your Income Tax for you in time to meet your Pay and File obligations you must file your Tax Return on or before 31 August 2017. Alternatively, you can file your Return on-line using the **Revenue On-Line Service (ROS)**, which will calculate your liability automatically.

If you choose to calculate your liability, the following notes together with those contained throughout the rest of this Guide, may be helpful.

Notes:

1. General

PRSI and USC are calculated separately for each spouse or civil partner. No reference is made to income or status of the other spouse or civil partner.

If you or your spouse or civil partner have more than one business, you should keep the calculation of the business profits and Capital Allowances separate.

2. Personal Tax Credits

The amounts of the various personal tax credits are set out in **Table B**, on page 64 of this Guide. Further information in relation to any specific tax credits can be obtained in this Guide (see pages 45 - 54 incl.). Information can also be obtained from various Information Leaflets available on Revenue's website www.revenue.ie, from Revenue's Forms and Leaflets Service by phoning LoCall 1890 306 706 (ROI only), +353 1 674 4050 (outside ROI).

3. Income Tax Exemption/Marginal Relief

(a) Exemption Limits

If you are 65 years or over you are exempt from income tax (although you may have a liability to either PRSI or USC) where your total income does not exceed the following Exemption Limits:

Personal Circumstances	2016 (€)
Single, Widowed or Surviving Civil Partner 65 years of age or over	18,000
Married or in a Civil Partnership 65 years of age or over	36,000
Single, Widowed or a Surviving Civil Partner, Married or in a Civil Partnership 65 years of age or over Additional for 1st and 2nd qualifying child	575
Single or Widowed or a Surviving Civil Partner, Married or in a Civil Partnership 65 years of age or over Additional for each subsequent qualifying child	830
Marginal Relief Tax Rate	40%

3. Income Tax Exemption/Marginal Relief

(b) Marginal Relief

Marginal relief may be due where your income does not greatly exceed these limits. The level at which marginal relief ceases to apply differs in individual cases depending on the level of income and the exemption limit.

If your tax liability exceeds 40% of your income less the exemption limit appropriate to you, your liability is reduced to: (Income - Exemption limit) x 40%.

Total Income _____ - _____ (Appropriate figure from table above) x 40% = _____*

Example

You are a single person aged 70 and have assessable rental income of €20,500.

Your income tax liability is €20,500 @ 20% = €4,100

Less:

Personal tax credit €1,650

Age tax credit € 245 €1,895

Tax due (before marginal relief computation) €2,205

Marginal relief:

Your income tax is restricted to: (€20,500 – €18,000) = €2,500 @ 40% = €1,000

Note: the Marginal Relief Tax Rate only applies to persons 65 years of age or over.

4. P.R.S.I.

The minimum PRSI contribution for 2016 is €500.

PRSI is not payable on income taxed under Self-Assessment by a person:

- ◆ Whose total income from **all** sources, before deduction of capital allowances and pension contributions is less than €5,000,
- ◆ Who is under 16 years or over 66 years of age,
- ◆ In receipt of Pre-Retirement Allowance on an ongoing basis,
- ◆ Who is not resident or ordinarily resident in the State and whose self-assessed income consists only of unearned income (for example deposit interest, rents, etc.).

Any sums received by way of pension, benefit, etc. from the Department of Social Protection, are exempt from PRSI.

You can obtain full details of all PRSI rates and more detailed information on PRSI for the Self-Employed from the Department of Social Protection at www.welfare.ie and the contact details below.

Self-Employment Section,

Social Welfare Services Office

Cork Road

Waterford

E-mail: selfemployment@welfare.ie

Telephone: **Lo-Call Number 1890 690 690 (ROI only)**

Exempted persons [P.R.S.I.]	
Self-Employed	
Categories	P.R.S.I.
Individual Under 16	No Charge
Individual Over 66	No Charge
Individual with income less than €5,000	No Charge
Individual with income over €5,000	Chargeable (4%)

5. Universal Social Charge

USC is a tax payable on gross income, including notional pay, after relief for certain capital allowances, but before pension contributions. There is an annual exemption threshold of €13,000 and where this amount is exceeded, all of an individual's income is chargeable. The rates of USC are:

- ◆ 1% on income up to €12,012
- ◆ 3% on the next €6,656
- ◆ 5.5% on the next €51,376
- ◆ 8% on the balance

However, these standard rates are modified in certain circumstances. In the case of individuals aged 70 or over, or individuals who hold full medical cards and whose aggregate income for the year is €60,000 or less, the rates of USC are:

- ◆ 1% on the first €12,012.00
- ◆ 3% on the balance

There is a surcharge of 3% on individuals who have non-PAYE income which exceeds €100,000 in a year, regardless of age.

There are a very limited number of exempt categories. The more important of these include:

- ◆ All Department of Social Protection payments and similar payments received from other countries,
- ◆ Department of Social Protection-type payments received from State Bodies such as the HSE ,
- ◆ Income already subjected to DIRT.

More information on the USC can be found at www.revenue.ie

6. PRSI

Self-Employed Income Chargeable as below:

Tax Year 2016	
PRSI	
4%	on all income

Examples to show the liability to PRSI and USC where an individual has different sources of income are set out below.

Where an individual has employment income that has already suffered PRSI at source, the liability to PRSI on the non-employment income is set out in the following examples.

Where an individual has employment income that has already suffered USC at source, the amounts of USC shown in the examples below relate to the individuals' total income and credit will be given for any USC paid at source on the employment income.

Example 1

Individual with employment income and no trading income:

Employment income	€30,000
Investment income	€50,000
PRSI Class K	€50,000 @ 4%
Universal Social Charge	€12,012 @ 1%
Universal Social Charge	€ 6,656 @ 3%
Universal Social Charge	€51,376 @ 5.5%
Universal Social Charge	€ 9,956 @ 8%

Example 2

Individual with employment income, investment income, and trading income:

Employment income	€30,000
Investment income	€50,000
Trading income	€20,000
PRSI Class S liability	€70,000 @ 4%
Universal Social Charge	€12,012 @ 1%

Universal Social Charge	€ 6,656	@ 3%
Universal Social Charge	€ €51,376	@ 5.5%
Universal Social Charge	€ 29,956	@ 8%

Example 3

Individual with employment and trading income:

Employment income	€ 30,000	
Trading income	€ 22,000	
PRSI Class S liability	€ 22,000	@ 4%
Universal Social Charge	€ 12,012	@ 1%
Universal Social Charge	€ 6,656	@ 3%
Universal Social Charge	€ 33,332	@ 5.5%

Example 4

Individual with investment income:

Investment Income	€ 50,000	
PRSI Class S liability	€ 50,000	@ 4%
Universal Social Charge	€ 12,012	@ 1%
Universal Social Charge	€ 6,656	@ 3%
Universal Social Charge	€ 31,332	@ 5.5%

Example 5

Individual with trading and investment income:

Trading income	€ 22,000	
Investment income	€ 50,000	
PRSI Class S liability	€ 72,000	@ 4%
Universal Social Charge	€ 12,012	@ 1%
Universal Social Charge	€ 6,656	@ 3%
Universal Social Charge	€ 51,376	@ 5.5%
Universal Social Charge	€ 1,956	@ 8%

Example 6

Individual with trading income:

Trading Income	€105,000	
PRSI Class S liability	€105,000	@ 4%
Universal Social Charge	€ 12,012	@ 1%
Universal Social Charge	€ 6,656	@ 3%
Universal Social Charge	€ 51,376	@ 5.5%
Universal Social Charge	€ 34,956	@ 8%
Universal Social Charge	€ 5,000	@ 3%

Example 7

Individual with employment income and trading income:

Employment income	€ 70,000	
Trading income	€105,000	
PRSI Class S liability	€105,000	@ 4%
Universal Social Charge	€ 12,012	@ 1%
Universal Social Charge	€ 6,656	@ 3%
Universal Social Charge	€ 51,376	@ 5.5%
Universal Social Charge	€104,956	@ 8%
Universal Social Charge	€ 5,000	@ 3%

Example 8

Individual with employment income and trading income:

Employment income	€120,000	
Trading income	€105,000	
PRSI Class S liability	€105,000	@ 4%
Universal Social Charge	€ 12,012	@ 1%
Universal Social Charge	€ 6,656	@ 3%
Universal Social Charge	€ 51,376	@ 5.5%
Universal Social Charge	€154,956	@ 8%
Universal Social Charge	€ 5,000	@ 3%

Tax Rates and Tax Bands applicable for the Tax Year 2016

Table A

Personal Circumstances	Tax Year 2016	
	€	
Single or Widowed or a Surviving Civil Partner without dependent children	33,800 @ 20%	Balance @ 40%
Single or Widowed or a Surviving Civil Partner qualifying for Single Person Child Carer Credit	37,800 @ 20%	Balance @ 40%
Married or in a Civil Partnership one Spouse or Civil Partner with income	42,800 @ 20%	Balance @ 40%
Married or in a Civil Partnership both Spouses or Civil Partners with income	42,800 @ 20%*	(with an increase of 24,800 max.) Balance @ 40%

* The increase in the standard rate tax band is restricted to the lower of € 24,800 or the amount of the income of the spouse or civil partner with the lower income. The increase is not transferable between spouses or civil partners.

Personal Tax Credits for the Tax Year 2016

Table B

Personal Circumstances	Tax Year 2016	
	€	
Single Person's Tax Credit	1,650	
Married Person's or Civil Partner's Tax Credit	3,300	
Widowed Person or Surviving Civil Partner Tax Credit		
- qualifying for Single Person Child Carer Credit	1,650	
- without qualifying children	2,190	
- in year of bereavement	3,300	
Single Person Child Carer Credit (with qualifying dependent children) Widowed Person, Surviving Civil Partner, Deserted, Separated, in a Dissolved Civil Partnership, Divorced or Single	1,650	
Widowed Parent	Bereaved in 2015	3,600
	Bereaved in 2014	3,150
	Bereaved in 2013	2,700
	Bereaved in 2012	2,250
	Bereaved in 2011	1,800
Home Carer Tax Credit (Max)	1,000	
Employee Tax Credit	1,650	
Earned Income Tax Credit (max)	550	
Age Tax Credit (a) If Single, Widowed or Surviving Civil Partner	245	
(b) If Married or in Civil Partnership	490	
Incapacitated Child Tax Credit	3,300	
Dependent Relative Tax Credit	70	
Blind Person's Tax Credit	Single person*	1,650
	One Spouse or Civil Partner blind*	1,650
	Both Spouses or Civil Partners blind*	3,300
Incapacitated Person - Allowance for Employing a Carer**	75,000 max	

* Relief in respect of maintaining a guide dog (max. €825) may be claimed under the heading of Health Expenses.

** Relief for Employing a Carer in 2016 is allowable at the individual's highest rate of tax, i.e. 20% or 40%.

The rates and thresholds for Universal Social Charge are as follows:

Individual aged under 70 years

Tax Year 2016	Rate of USC
Income up to €12,012.00	1%
on the next €6,656	3%
on the next €51,376	5.5%
on the balance	8%

Individuals aged 70 years or over, or individuals who hold a full medical card (regardless of age) and whose aggregate income for the year is €60,000 or less.

Tax Year 2016	Rate of USC
Income up to €12,012.00	1%
Income above €12,012.00	3%

Exempt Categories

Tax Year 2016
Where an individual's total income for a year does not exceed €13,000
All Dept of Social Protection payments
Income already subjected to DIRT

3% Surcharge (self-employment)

There is a surcharge of 3% on individuals who have non-PAYE income that exceeds €100,000 in a year, regardless of age.

See www.revenue.ie for the latest information on Universal Social Charge including Frequently Asked Questions.

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