Completion of self assessment panel

Chapter 41A.04.02

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Revenue
Cáin agus Custaim na hÉireann
Irish Tax and Customs

1 The self assessment panel

Finance Act 2012, which inserted Part 41A into the TCA 1997, moved the basis of collection of taxes to a full self assessment model. This means that, as well as completing a return of income, a taxpayer must also complete a self assessment, identifying how much tax is owed to the Collector General.

2 Who must complete the self assessment panel?

An individual who files a paper return on or before 31 August[1] need not complete the self-assessment panel. Every other taxpayer, or agent on their behalf[2], must complete the self-assessment panel.

The self assessment, whether made by a taxpayer, their agent, or Revenue on behalf of the taxpayer, must reflect the information contained in the tax return to which it relates[3].

In addition to having to complete the self-assessment, a taxpayer who seeks to amend the tax return[4] which was submitted under full self-assessment must also amend the self-assessment panel.

Failure to complete the self-assessment panel is subject to a penalty of €250[5]. As ROS provides an indicative income tax calculation for taxpayers, this penalty can only arise in cases where:

- A paper Form 11 was filed after 31 August without completing the self-assessment panel.
- A paper Form CT1 was filed, by a taxpayer who is exempt from the requirement to e-file, without completing the self-assessment panel.
- A ROS filer with CGT did not complete the CGT self-assessment panel on ROS.

3 What is in a self-assessment panel?

Section 959R(3) and (4) prescribe what must be included in the self-assessment panel.

(a) The amount of income, profits or gains / chargeable gains arising for the period.

[1] Section 959S refers. A person who is a mandatory e-filer cannot file a paper return and must therefore always complete the self-assessment panel.
[2] Section 959T refers.
[3] Section 959W refers
[4] Under section 959V. See Manual 41A.04.01for details of when a taxpayer may amend a tax return.
[5] Section 959X refers. This penalty would be imposed using the mechanics set out in section 1077B.

This is the amount of income, profits or gains or, as the case may be, chargeable gains, which are chargeable to tax[6] before deductions which are allowable in assessing income, such as capital allowances for income tax purposes or retirement relief for CGT purposes. Income which is exempt from income tax is not included in this figure.

Where foreign income which has been regrossed because the Irish effective rate is lower than the foreign effective rate is taxable, it is the regrossed amount which is included here.

(b) **The amount of tax chargeable for the period**

This is defined in section 959A. It is the amount of tax on income in (a) after any increase in respect of the High Income Earner's Restriction, less any deductions, allowances or reliefs but before credits. By way of example, for income tax, this is the tax due having applied the various rates and bands to total income. It is the figure before any credits are claimed.

It includes tax on ring-fenced income such as investment undertakings and profits or gains attributable to rezoning decisions or "relevant planning decisions".

The amount of each tax chargeable should be clearly set out. For example, in a Form 11 a taxpayer may have income tax, USC and PRSI which need to be included in a single self-assessment. The amount of tax, USC and PRSI chargeable should be separately identified.

Amount of USC chargeable for this period

This is the amount of USC chargeable on all of the income, including employment and pension income which has suffered USC at source and any income which was exempt from Income Tax.

Amount of PRSI chargeable for this period

This is the amount of PRSI chargeable on the taxpayer's income other that PRSI due on Irish employment income where this has been deducted by the employer at source. That is, a person should neither add PRSI due on employment income, nor deduct PRSI already paid at source from their employment income.

(c) **The amount of tax payable[7] for the period**

This is defined in section 959A as the amount of tax chargeable less credits. Credits include obvious items such as the personal tax credit or employee tax credit for income tax, but also less obvious items such as Dividend Withholding Tax suffered, DIRT withheld at source, PAYE operated on Schedule E income and PSWT.

[6] See Manual 15.02a.06 for full details on 'income chargeable to tax' in an income tax context.

[7] This figure is also relevant in the context of preliminary tax as the 90% / 100% / 105% tests all apply to the amount of tax payable. See Manual 41A.01.03 for further details on preliminary tax, including which withholding taxes are credits (deductible in arriving at tax payable) and which are treated as payments made directly to the Collector General (deductible from tax payable).

To ensure that the correct tax payable figure is recorded by Revenue, the following breakdown of this amount is required:

Amount of tax payable for this period before refund (or offset) below

This is the tax payable figure before taking account of any refund or offset of tax withheld at source already made by Revenue.

Amount of refund (or offset) made out of tax withheld at source

The amount of any refund or offset of tax withheld at source (e.g. interim refund of PSWT) should be entered here.

Amount of tax payable for this period

This is the amount of tax payable, adjusted for any refund or offset of tax withheld at source already made by Revenue.

(d) **The amount of surcharge due for the period**

This is the surcharge due under section 1084 either on the late filing of the income tax return, or arising on foot of a person not having fully met their Local Property Tax obligations.

(e) **The balance of tax owing / overpaid for the period**

This is the amount of tax payable plus any amount of surcharge less any amount paid directly to the Collector General. This later figure includes preliminary tax paid and also RCT suffered.