



In this issue:

Summary

Historical Position and Recent Changes

Revenue's eBrief

Deloitte's View

People to Contact

GES NewsFlash

Ireland – Revenue eBrief No.11/10 has Significant Consequences for those Entitled to the Remittance Basis of Taxation

March 10, 2010

Summary

Revenue issued an eBrief on 2nd March 2010 which has significant consequences for individuals who are entitled to claim the remittance basis of taxation. As a result of the eBrief, individuals may be entitled to a refund of Irish tax paid on UK source income and gains in the period 2006 to 2008. To make such a claim an individual must be either non-domiciled or if an Irish citizen, was resident but non-ordinarily resident in the state for one of the years concerned.

Historical Position and Recent Changes

Prior to 1st January 2008, the remittance basis of assessment did not apply to UK source income and gains. From 1st January 2008, the remittance basis was extended to UK source income. (Finance Act 2008) From 20th November 2008, the remittance basis was extended to UK source capital gains. (Finance Act No. 2 2008) Under the remittance basis income/proceeds were not liable to Irish tax unless "remitted/brought" into the State

Revenue's eBrief

Although the Finance Act amendments do not have retrospective effect, as a result of a recent tax appeal case, Revenue has indicated that an individual can make a claim for a repayment where tax was paid on UK sources even though the income/proceeds were not remitted to Ireland. Reclaims are subject to the statutory four year time limit for claiming repayments of tax.

Deloitte's View

This is a welcome step by Revenue. Any remittance basis tax payers who had UK source income or gains taxed in Ireland since 2006 may be eligible to make

a claim for a repayment of tax. Reclaims relating to 2006 must be made by 31st December 2010.

Please note that with effect from 1st January 2010, the remittance basis is no longer available to Irish Citizens.

People to Contact

If you have any questions concerning the issues in this GES NewsFlash, please contact one of the tax professionals as follows:

Brian McDonald

Tel: +353 1 417 2420

Ian McCall

Tel: +353 1 417 2442

This NewsFlash information is now being incorporated into the new, more frequent bi-weekly GES newsletter, Global InSight, which you will receive directly if you are on the central distribution list.

If you are not on the central distribution list and received this communication by some other means, you can follow these few simple steps to be added to the central distribution list.

- Log onto www.deloitte.com/us
- Select "Insights" at the top of the page, then select "Email subscriptions" in the drop down menu
- On the next page, under Step 1, select "Tax" and "Global Employer Services"
- Under Step 2, select "Global Insight"
- Under Step 3, fill out your contact information and click "Save my profile"

Be sure to visit us at our Web site: www.deloitte.com/tax

If you require information about doing business in a specific country, including individual tax considerations, please log on to www.deloittetaxguides.com and select the countries of interest. In addition to detailed guides, there are at-a-glance summaries contained in the Snapshot series section.

[Back to Top](#)

1633 Broadway
New York, NY 10019 – 6754
United States

© 2010 Deloitte Touche Tohmatsu.

Deloitte refers to one or more Deloitte Touche Tohmatsu, a Swiss Verein, and its network of member firms, each of which is a legally separate and independent entity. Please see www.deloitte.com/about for a detailed description of the legal structure of Deloitte Touche Tohmatsu and its member firms.

 [Deloitte RSS feeds](#)
