

Universal Social Charge

Frequently Asked Questions

7 December 2010

Contents

	Page
1. Universal Social Charge general provisions	3
2. PAYE taxpayers and the Universal Social Charge	8
3. Self-assessed taxpayers and the Universal Social Charge	16
4. Employer/pension providers and the Universal Social Charge	18
5. Appendix A List of Social-Protection - like payments	19
6. Appendix B 39 Exempt income sources	20
7. Appendix C Universal Social Charge Certificate 2011	21

1. Universal Social Charge (USC) General Provisions

1.1 What is the Universal Social Charge?

The Universal Social Charge, which comes into effect on 1 January 2011, is a tax payable on gross income, including notional pay, after any relief for certain capital allowances, but before pension contributions.

1.2 Who is liable for the Universal Social Charge?

All individuals are liable to pay the Universal Social Charge if their gross income exceeds the threshold of €4,004 p.a.

1.3 Are there special treatments for older persons?

Yes. While there is no age related exemption individuals aged 70 or over will only pay Universal Social Charge at a maximum rate of 4% irrespective of the level of their income.

1.4 What is exempt from the Universal Social Charge?

- Where an individual's total income for a year does not exceed €4,004
- All Dept of Social Protection payments
- Payments that are made in lieu of Dept of Social Protection payments such as Community Employment Schemes paid by the Department of Enterprise, Trade and Innovation or Back to Education Allowance paid by the Department of Education and Science. [Appendix A contains examples of these types of payments]
- Income already subjected to DIRT
- Income sources listed in Appendix B.

1.5 Will the Universal Social Charge apply to non-domiciles?

Income from Ireland or income sourced from Ireland will be subjected to the Universal Social Charge.

1.6 I am a non-resident director – will I be liable to pay Universal Social Charge?

Directors fees paid by an Irish company to a non-resident director will be subject to the charge.

1.7 What are the rates and thresholds of the Universal Social Charge?

The rates of Universal Social Charge are:

- 2% on the first €10,036
- 4% on the next €5,980
- 7% on the balance.

Persons over 70 years are not liable at the rate of 7% but instead pay at 4%.

1. For **payroll purposes** the following Universal Social Charge rates apply to persons aged under 70 years:

Applicable to payments made from 1 January 2011

Income Thresholds			
Per Year	Per Week	Per Month	Rate of Universal Social Charge
Up to €10,036	Up to €193	Up to €837	2%
From €10,037 to €16,016 inclusive	From €194 to €308 inclusive	From €838 to €1335 inclusive	4%
In excess of €16,016	In excess of €308	In excess of €1335	7%

2. For **payroll purposes** the following Universal Social Charge rates apply to persons aged over 70 years:

Applicable to payments made from 1 January 2011

Income Thresholds			
Per Year	Per Week	Per Month	Rate of Universal Social Charge
Up to €10,036	Up to €193	Up to €837	2%
In excess of €16,016	In excess of €193	In excess of €837	4%

3. For **self-assessed individuals under 70 years** the 2011 annual rates, as passed on Budget night, are as follows:

Part of aggregate income	Rate of Universal Social Charge
The first €10,036	2%
The next €5,980	4%
The remainder	7%

4. For **self-assessed individuals over 70 years** the 2011 annual rates, as passed on Budget night, are as follows:

Part of aggregate income	Rate of Universal Social Charge
The first €10,036	2%
The remainder	4%

1.8 Are the higher rates being charged on all earnings or just on the earnings over the relevant threshold?

For income in excess of €4,004 the charge applies to all income at a starting rate of 2%.

The 4% levy is charged on all payments from €10,037 p.a. to €16,016 p.a. inclusive and the 7% is charged on all payments in excess of €16,016 p.a.

1.9 How is the Universal Social Charge collected?

Employer/pension providers are responsible for deducting the Universal Social Charge from their employees' salaries. Self-employed individuals will make a payment of Universal Social Charge along with their preliminary tax payment, and any balance will be collected when the final assessment issues.

1.10 What income is liable for the Universal Social Charge?

The Universal Social Charge is payable on gross income after relief for certain capital allowances, but before relief for pension contributions.

Employer/pension providers should note however that if any Dept of Social Protection payments, for example, illness benefit, have been paid to an employee, or salary sacrifices approved by the Revenue Commissioners have been made by the employee, the amount on which the Universal Social Charge is calculated will differ. Therefore when recording gross pay, these amounts should be deducted and the total pay thereafter, before superannuation contributions, should be used when calculating the Universal Social Charge due.

1.11 Will redundancy payments be subject to the charge?

Statutory redundancy payments are exempt from the charge. Statutory redundancy payments amount to 2 weeks pay per year of service plus a bonus week subject to a maximum payment of €600 per week.

In addition, ex-gratia redundancy payments in excess of the statutory redundancy amount are exempt from income tax, and therefore also the Universal Social Charge, up to certain limits. These limits are up to €10,160 plus €765 per complete year of service in excess of the statutory redundancy. The basic exemption as outlined above can be further increased by up to €10,000 if the person is not a member of an occupational pension scheme.

Any relevant emoluments paid which are in excess of these limits are subject to the Universal Social Charge in accordance with the Financial Resolution passed on Budget night. It should be noted that the Universal Social Charge is charged after granting the statutory exemptions set out above, and after granting any additional deduction for Standard Capital Superannuation Benefit (SCSB).

1.12 I am separated from my spouse and paying maintenance payments. How are these payments treated for Universal Social Charge purposes?

How maintenance payments are treated for Universal Social Charge purposes will depend on the nature of the maintenance payments arrangements in place, i.e. are they voluntary payments or legally enforceable payments.

Voluntary maintenance payments (payments paid under an informal arrangement)

- The spouse making the payments does not receive exemption from the Universal Social Charge on the portion of their income which they pay as maintenance.
- The spouse who receives the payments is not subject to the Universal Social Charge on the maintenance payments they receive.

Legally enforceable maintenance payments (payable under legal obligation)

The spouse making the payments is entitled to receive an exemption from the Universal Social Charge on the portion of their income which they pay as maintenance either directly or indirectly to their spouse. There is no Universal Social Charge exemption due in respect of any portion of the maintenance payments paid towards the maintenance of children.

An employee wishing to claim Universal Social Charge exemption in respect of legally enforceable maintenance payments throughout the year may either give the information required to their payroll office, or alternatively they can apply to Revenue at the end of the year to claim any refund of Universal Social Charge that may be due in respect of maintenance paid.

The spouse who receives the payments is subject to the Universal Social Charge on the portion of the maintenance payments they receive in respect of themselves. Any portion of the maintenance payments paid towards the maintenance of children is not subject to the Universal Social Charge.

Note: In the case of a legally enforceable maintenance arrangement, where a separated couple has jointly elected to be treated as a married couple for income tax purposes, the spouse making the payments does not receive exemption from the Universal Social Charge on the portion of their income which they pay as maintenance. The spouse who receives the payments is not subject to the Universal Social Charge on the maintenance payments they receive.

1.13 Are share option gains chargeable to income tax under section 128 of the Taxes Consolidation Act 1997 liable to the Universal Social Charge?

Yes, gains on the assignment, release or exercise of share options chargeable to income tax under section 128 of the Taxes Consolidation Act 1997 are liable to the Universal Social Charge.

A payment of Universal Social Charge should be made at the same time as preliminary tax - see section 3.1 – with any balance paid when the return for the relevant year is filed.

1.14 Am I obliged to include the Universal Social Charge due on share option gains when making my payment of RTSO (Relevant Tax on Share Options)?

No, you should not include the Universal Social Charge when making a payment of RTSO (see Information Leaflet CG 16 for more information on RTSO).

Payment of Universal Social Charge should be made at the same time as preliminary tax with any balance paid when the return for the relevant year is filed.

1.15 In the case of “restricted shares” to which section 128D Taxes Consolidation Act 1997 applies, is the Universal Social Charge payable on the gross amount chargeable to income tax or on the abated amount?

Universal Social Charge is payable on the abated amount. If, at a future date, the abated amount is revised additional Universal Social Charge will then be payable.

1.16 Is my employer’s/pension provider’s contribution to an approved retirement benefit scheme liable to Universal Social Charge?

No, section 778 of the Taxes Consolidation Act 1997 provides that an employer/pension provider contribution made to an approved retirement benefit scheme or a statutory scheme is not treated as a benefit-in-kind for income tax purposes. As the Universal Social Charge treatment follows the income tax treatment, any employer/pension provider’s contribution to such schemes will not be subject to Universal Social Charge.

Irrespective of this, employee contributions are not relieved for Universal Social Charge purposes.

2. PAYE Taxpayers and the Universal Social Charge

2.1 Are the first €4,004 p.a. earnings exempt?

Universal Social Charge will be deducted from all payments. At the end of the year, those who have earned less than €4,004 can apply to Revenue for a refund.

2.2 I'm over 70 years and my income is €25,000 is the first €4,004 exempt?

You are liable to pay the Universal Social Charge on the full amount of your income on a week1 / month 1 basis. Your income for Universal Social Charge purposes is determined after excluding any Dept of Social Protection or similar type income. At the end of the year, where have earned less than €4,004, you can apply to Revenue for a refund.

2.3 My spouse and I are both over 65 and taxed under joint assessment– are we exempt from the Universal Social Charge?

Each spouse is treated individually by their employer/pension provider throughout the year.

2.4 I have a medical card – do I pay Universal Social Charge on my wages?

Persons entitled to a full medical card are not excluded from the Universal Social Charge. The exemption that existed for people who hold a full medical card in relation to income levy is not a feature of Universal Social Charge.

2.5 Given that my employer/pension provider records my Dept of Social Protection illness benefit after 6 weeks for tax purposes will I now have to pay the Universal Social Charge on this benefit?

Dept of Social Protection payments are not subject to the Universal Social Charge.

2.6 I earn €50,000 per annum – what rate of Universal Social Charge will I pay?

An individual who is earning €50,000 p.a. will have a liability to the Universal Social Charge at a rate of 2% on the first €10,036, 4% on the next €5,980 and 7% on the balance of €33,984.

2.7 I earn €70,000 and my spouse earns €120,000 - what rate will we pay?

You will pay the Universal Social Charge at the rate of 2% on the first €10,036, 4% on the next €5,980 and 7% on the balance of €53,984.

Your spouse will pay 2% on the first €10,036, 4% on the next €5,980 and 7% on the balance of €103,984.

2.8 I am 45 years old. If I get a bonus of €6,000 will the Universal Social Charge apply at the 7% rate?

The Universal Social Charge is calculated on the following weekly thresholds:

Applicable to all payments made on or after 1 January 2011	2% on income up to €193
	4% on income from €194 to €308 inclusive
	7% on income above €308

An employee will pay the Universal Social Charge at the appropriate rate(s) on a week 1 basis according to the amount of their payment in that particular week.

2.9 Are Occupational Pensions subject to the Universal Social Charge?

Yes. Occupational Pensions are subject to the Universal Social Charge. Dept of Social Protection pensions are not subject to the Universal Social Charge.

2.10 Will the Universal Social Charge affect tax credits?

No. The Universal Social Charge is a separate charge to income tax and there are no deductions or credits due against it. It is collected from gross income at the progressive rates. Excess or unused tax credits cannot be used to reduce an individual's liability to the Universal Social Charge.

2.11 Am I allowed a deduction for pension contributions?

No deductions for pension contributions are allowed from gross income

2.12 My medical expenses are greater than my taxable income. Can I set the excess expenses against Universal Social Charge to reduce my liability to it?

No. Excess medical expenses which have not been set against income tax liability cannot be used to reduce liability to the Universal Social Charge.

2.13 Are married couples who are jointly assessed allowed double the threshold limits?

No. The thresholds apply to each spouse individually and cannot be combined where one spouse is below the thresholds and the other above.

2.14 Short-term working arrangement Job Seekers benefit is not taxable. Will I now have to pay the Universal Social Charge on it?

No. All payments from the Department of Social Protection, and payments made by other Departments, which are similar to Dept of Social Protection payments are exempt from the levy.

2.15 Should I pay the Universal Social Charge on travel expenses, etc?

Any expense payments which are only a recompense for expenses incurred in the performance of duties, are not subject to the Universal Social Charge. Allowances which

are in the nature of pay and are part of an individual's gross income are subject to the charge.

2.18 If I change employment during the year and earn €50,000 with my first employer/pension provider and €100,000 with my second employer/pension provider will the higher Universal Social Charge rates automatically kick in?

No. Each employer/pension provider is responsible for collecting the levy by reference to the gross income arising in their own employment only. Details of the Universal Social Charge are not carried forward from one employment to another. The Universal Social Charge is collected on a week 1 basis. In circumstances where, in the aggregate of the income arising between the two employments, there is an underpayment of the Universal Social Charge, Revenue will identify this and make arrangements for the collection of the underpayment from the employee concerned.

2.19 Is it true that although I am exempt from income tax, I may still have to pay the Universal Social Charge?

An individual who has no liability to tax based on their entitlement to tax credits or by use of losses or capital allowances may still have a liability to the Universal Social Charge.

Similarly an individual whose income consists of exempt source income from occupation of certain woodlands, profits from stallion fees, stud greyhound services fees and farmland leasing, along with patent royalty income and earnings of certain writers, artists and composers, will be subject to the charge on any or all of these income sources.

2.20 I am a single person and will be 70 years old in June 2011. Will I benefit from the maximum 4% rate for all of 2011?

Yes. If a person reaches 70 years at any stage during the year they will benefit from the maximum 4% rate for the whole year.

2.21 I have just left my job and my employer/pension provider has given me a Universal Social Charge Certificate along with my form P45. What do I do with the Universal Social Charge Certificate?

Your employer/pension provider gave you the Universal Social Charge certificate as your own personal record of the amount of Universal Social Charge deducted while in that employment. You need not do anything with this certificate. Just keep it safely. It should not be sent to Revenue or given to your new employer/pension provider when you commence another employment. Please see 2.23 below regarding overpayments and refunds of the Universal Social Charge.

2.22 What if I have overpaid the Universal Social Charge? How can I claim a refund?

The Universal Social Charge is calculated on a pay period by pay period basis. Where the Universal Social Charge has been applied for particular pay period(s) throughout the year but you are ultimately liable at either a lower rate or are exempt because you have not exceeded the thresholds at the end of the year, you will have overpaid the Universal Social Charge. In this situation you will be due a refund of some or all of any Universal

Social Charge paid. Where you have been in continuous employment with an employer/pension provider throughout the year in question (for the full 52 weeks/12 months), your employer/pension provider may refund any overpayment of Universal Social Charge deducted at the end of the year. Where you have not been in continuous employment with an employer/pension provider throughout the year in question, Revenue, rather than the employer/pension provider, will deal with any refund of Universal Social Charge due at the end of the year.

2.23 My employer/pension provider makes a contribution on my behalf to my Personal Retirement Savings Account (PRSA). Is the charge payable in respect of this contribution given it qualifies for tax relief as a pension contribution?

Universal Social Charge applies to all emoluments of an employment, including anything treated as a taxable benefit-in-kind. An employer/pension provider contribution to a personal retirement savings account (PRSA) is chargeable to income tax in the hands of the employee as a benefit-in-kind under section 118 of the Taxes Consolidation Act 1997. As the Universal Social Charge treatment follows the income tax treatment the employer/pension provider's contribution to the personal retirement savings account will also be subject to the Universal Social Charge. Universal Social Charge should be deducted on this contribution in a similar manner to any other benefit provided by an employer/pension provider and accounted for with Universal Social Charge deducted on emoluments.

2.24 I have overpaid the Universal Social Charge in 2011. How can I claim a refund?

If you have overpaid the Universal Social Charge you can apply to Revenue for a refund at the end of the year in one of two ways. You can either :-

- Complete a Universal Social Charge Refund Claim Form and send it to your local Revenue office. The form will be available to download from www.revenue.ie/en/tax/it/forms/income-levy-refund-claim.pdf or from

Revenue's Forms & Leaflets Service Telephone (24-Hour service) 1890 30 67 06

If calling from outside the Republic of Ireland please phone + 353 1 70 23 050

Email: custform@revenue.ie

Or

- Submit your claim online using the online facility on the Universal Social Charge page on www.revenue.ie.

These facilities are not yet in place but will be highlighted when they are available.

3. Self-Assessed Taxpayers and the Universal Social Charge

3.1 How will the Universal Social Charge be collected?

Self-assessed taxpayers have responsibility for operating the charge in respect of all income sources. They will make a payment of Universal Social Charge along with their preliminary tax payment, and subject to the correct amount of preliminary tax being paid, the balance is payable when the return is filed.

3.2 I am self-employed – how do I calculate gross income for the purposes of the Universal Social Charge?

Gross income is determined after deduction of legitimate expenses directly associated with the performance of the trade. This is in accordance with the normal principles of commercial accounting.

3.3 Can expenses be deducted?

Legitimate revenue expenses directly associated with the performance of the trade can be deducted in calculating the taxable profit figure upon which the Universal Social Charge is chargeable.

3.4 Am I allowed to deduct capital allowances?

Capital allowances claimed as normal trading expenses in respect of items of plant and machinery and certain buildings are allowed. There is no deduction allowed for capital allowances claimed by passive investors or lessors.

3.5 Are exempt sources of income liable for the Universal Social Charge?

Yes. An individual whose income consists of exempt source income from occupation of certain woodlands, profits from stallion fees, stud greyhound services fees and farmland leasing, along with patent royalty income and earnings of certain writers, artists and composers, will be subject to Universal Social Charge on the sources above – subject to the relevant thresholds.

3.6 What Universal Social Charge should I include in my preliminary tax for 2011?

An individual can calculate their preliminary tax for 2011 on the basis of 90% of the current year liability, and incorporate Universal Social Charge using the 2011 rates of 2%, 4% and 7%.

However where the individual wishes to pay preliminary tax on the basis of the 100% of the previous year liability then their payment should be on the basis of the final liability for the year 2010 as if USC at the appropriate rates had been paid for that year.

4. Employer/pension providers and the Universal Social Charge

4.1 As an employer/pension provider, what are my responsibilities in relation to the collection and remittance of the Universal Social Charge?

- Identify “Gross Income” as defined
- Deduct the Universal Social Charge from this income at the appropriate rates
- Pay the total amount of the Universal Social Charge deducted from your employees on form P30 to the Collector General – the Universal Social Charge amount is to be included with figure for PAYE on form P30.
- At end of year give details of the Universal Social Charge on form P35L – see section 4.12

4.2 Who is responsible for deducting and returning the Universal Social Charge?

Employer/pension providers have responsibility for operating Universal Social Charge in relation to payments they make to their employees. They will deduct and pay the Universal Social Charge to the Collector General on behalf of employees.

4.3 I am an employer/pension provider – when do I pay this levy?

Employer/pension providers should pay the Universal Social Charge to the Collector General at the same time and in the same manner as the deductions under the PAYE system.

4.4 If the employer/pension provider is responsible, what will the penalty be if the Universal Social Charge is not correctly administered?

Penalties similar to those that apply where the employer/pension provider fails to operate PAYE correctly will apply for failure to operate the Universal Social Charge.

4.5 Will there be an interest charge for late payment of the Universal Social Charge?

Yes. Interest will be payable on late payments of the Universal Social Charge to the Collector General.

4.6 If all earnings are taken into account, how does an employer/pension provider know what an employee may earn in another employment to determine which Universal Social Charge % should be applied?

The employer/pension provider is only responsible for deducting the Universal Social Charge from income, including notional pay, which he or she is paying to an employee. They are not required to take account of income arising from other sources.

4.7 Are Dept of Social Protection payments added to income to determine whether the Universal Social Charge will be charged or not?

No. Dept of Social Protection payments are exempt from the charge.

4.8 Is calculation of the Universal Social Charge different from calculation of PAYE & PRSI?

- The calculation is separate to PAYE and PRSI and is based on gross income as defined
- The Universal Social Charge is collected on a stand-alone basis for each employment
- The Universal Social Charge is collected on a week 1 basis within each employment.

4.9 For employer/pension providers using Direct Debit, should their amounts be increased, to take account of the Universal Social Charge?

Yes. Direct Debit amounts should be revised to take account of USC payments.

4.10 What records should employer/pension providers keep regarding the Universal Social Charge?

Employer/pension providers should keep the following records in relation to the Universal Social Charge for each employee for each year.

- Amount of emoluments liable to Universal Social Charge
- Amount of Universal Social Charge deducted from each payment made
- Total amount of Universal Social Charge deducted.

4.11 Should pay-slips record the Universal Social Charge details separately?

Yes. Details of the Universal Social Charge should be recorded separately on payslips.

4.12 What revisions to forms will be made to cater for the Universal Social Charge?

Further information will be available shortly in relation to changes in forms issued from the Collector-General to allow for reporting of the Universal Social Charge.

4.13 What is the weekly/monthly, etc. breakdown of the Universal Social Charge thresholds?

The breakdown of the Universal Social Charge threshold figures is as follows:

Applicable to all payments made on or after 1 January 2011

Annual Threshold	Weekly	Fortnightly	Monthly	4-Weekly	Bi-monthly	Quarterly
10,036	193	386	836	772	1,673	2,509
5,980	115	230	499	460	997	1,495
Over 70's						
10,036	193	386	836	772	1,673	2,509

4.14 Where a payment is made for a period of less than, or more than, a week/month/etc., have the weekly/monthly/etc. threshold amounts to be adjusted accordingly?

No. The same standard threshold amounts, listed at 4.13 above, apply in all instances. For example, a weekly paid employee should, if a payment of salary is made in the week in which employment commences or ceases, have the full Universal Social Charge threshold applied for the week, even if the payment relates to part of the week only.

4.15 Circumstances in which employer/pension providers/pension providers should make adjustments to the Universal Social Charge liabilities at the end of the year

Where an employee is in continuous employment/pension (for a full 52 weeks/12 months) with an employer/pension provider throughout the year in question the employer/pension provider should make adjustments to Universal Social Charge liabilities in the circumstances listed hereunder.

Continuous employment (for a full 52 weeks/12 months)

‘Continuous employment throughout the year’ means that the employee has been in employment/pension with the employer/pension provider for the full period, 1 January 2011 to 31 December 2011. It is not necessary for the employee to have ‘52 paid insurable weeks of employment’ in the year to be included in the end of year employer/pension provider calculation. An individual who has been in continuous employment with an employer/pension provider from 1 January 2011 to 31 December 2011 and who was absent from work on various forms of unpaid leave (e.g. sick leave, maternity leave, adoptive leave, etc) throughout the year is eligible to be included.

For example, a weekly paid employee, in continuous employment throughout 2011, is absent on unpaid leave for a period of 3 weeks in February 2011. As a result they had only 49 pay days in the January to December period. In the end of year Universal Social Charge calculation the employer/pension provider should use 52 pay days in the January-December calculation for this employee.

Where the employee has not been in continuous employment (1 Jan – 31 Dec) with more than one employer/pension provider throughout the year in question (e.g. employee commenced current employment on 15 January 2011) Revenue, rather than the employer/pension provider, will deal with any refund of Universal Social Charge due.

(Note: Adjustment should be made in respect of overpayment of the Universal Social Charge only. Where an employer/pension provider finds that the Universal Social Charge has been under deducted at the end of the year they are not to deduct more Universal Social Charge. Revenue will deal with any underpayments arising.)

Individuals liable at a lower rate(s)

Where a rate of Universal Social Charge has been applied for particular pay period(s) but the employee ultimately is liable at a lower rate(s) at the end of the year they will have

overpaid the Universal Social Charge. In this situation the employer/pension provider should make an adjustment at the end of the year and refund any overpayment of Universal Social Charge deducted. Where the employee has not been in continuous employment with an employer/pension provider throughout the year in question Revenue, rather than the employer/pension provider, will deal with any refund of Universal Social Charge due.

Individuals aged 70 or over

Where an employee/pensioner is aged 70 Universal Social Charge is applied at a maximum rate of 4% after the first threshold of €10,036 has been applied. Where that individual reached the age of 70 at any time during the year the 4% ceiling applies for the full year. In this situation the employer/pension provider should make an adjustment at the end of the year and refund any excess Universal Social Charge deducted in the year. Where the employee/pensioner has not been in continuous employment with an employer/pension provider throughout the year in question Revenue, rather than the employer/pension provider, will deal with any refund of Universal Social Charge due.

4.16 How is the Universal Social Charge applied to holiday pay paid in advance of the usual pay day?

If the effect of paying holiday pay in advance is that the employee receives the equivalent of two or three weeks' pay in the same week and no pay in the following week, or following two weeks, the Universal Social Charge will work in the same way as the tax credits and standard rate cut-off point currently work for those weeks. The 'increased' pay the employee receives in the week immediately preceding the week / 2 weeks holidays is not extra pay earned in that particular week but rather the pay for the following week / 2 weeks brought forward and paid in that particular week. In this situation the employee is due the Universal Social Charge thresholds applied to each of the following weeks' pay as normal. It should be noted that this does not apply where the employee is being paid holiday pay immediately before leaving the employment.

4.17 A four-weekly paid employee is receiving holiday pay paid in advance in respect of two weeks holidays. How is the Universal Social Charge applied in this case?

In this case the employee will be due the Universal Social Charge four-weekly threshold amount applied to their four-weekly salary as normal and have two weekly threshold amounts applied to their two weeks holiday pay. In their next four-weekly salary period they will receive payment for two weeks (as the other two have already been paid in advance) and have two weekly threshold amounts applied to this payment.

4.18 A weekly paid employee is receiving holiday pay paid in advance in respect of 4 weeks holidays. How is the Universal Social Charge applied in this case?

In this case the employee will be due the Universal Social Charge weekly threshold amount applied to their weekly salary as normal and have four separate weekly threshold amounts applied to their four separate weeks holiday pay. It is not correct to apply the four-weekly or monthly Universal Social Charge threshold amounts to the total of their four weeks holiday pay.

4.19 An employee is due to receive back pay in 2011. Even though the back pay relates to 2010 will the payment be subject to the Universal Social Charge?

Yes. Any payments made on or after 1 January 2011 but which relate to 2010 (or earlier years) will be subject to the Universal Social Charge. It depends on the date of the payment rather than on when the income was earned. For example, where an individual does overtime in December 2010 and receives the payment for this overtime in January 2011, this payment is subject to the Universal Social Charge.

4.20. Does the Universal Social Charge reduce the gross pay for PAYE/PRSI purposes?

No. Any deduction for the Universal Social Charge does not reduce the gross pay for PAYE/PRSI purposes, as illustrated in the following example:

An employee earns €800 per week.

Their weekly deduction for Salary Sacrifice for the Travel Pass Scheme is €20

Their weekly deduction for employee superannuation is €40

Universal Social Charge calculation:

Gross pay	€800
Less Salary Sacrifice for Travel Pass	<u>€ 20</u>
Universal Social Charge is applied to	€780
193 x 2% = €3.86, 115 x 4% = €4.60, and 472 x 7% =	€33.04
Total Universal Social Charge =	€41.50

Note: the Universal Social Charge is applied **before** the employee superannuation is deducted.

PRSI calculation:

Gross pay	€800
Less Salary Sacrifice for Travel Pass	€20
Less employee superannuation	<u>€ 40</u>

PRSI is applied to €740 at the appropriate rate(s)

PAYE calculation:

Gross pay	€800
Less Salary Sacrifice for Travel Pass	€20
Less employee superannuation	<u>€ 40</u>

PAYE is applied to €740 at the appropriate rate(s)

4.21 An employee reaches 70 years of age during the year after having paid the higher rate of 7% on some of their earnings. What is the employer to do?

The first payment after the individual reaches 70 is liable at either 2% and/or 4% (max). The individual will be due a refund of USC in respect of the 7% deductions. The employer can deal with this refund at the end of the year. Alternatively the individual can apply to Revenue at the end of the year for this refund.

Appendix A

List of Social-Welfare-Like Payments

Payments made by the Dept of Enterprise, Trade and Employment

- Community Employment Scheme
- Job Initiative Scheme
- FÁS (non apprentice payments)

Payments made by the Health Service Executive (HSE):-

- Infectious Diseases Maintenance Allowance
- Blind Welfare Supplementary Allowance
- Domiciliary Care Allowance
- Mobility Allowance

Payments made by the Dept of Education:

- VTOS Training Allowances
- Youthreach Training Allowances
- Senior Traveller Training Allowances
- Back to Education Initiative (BTEI) Training Allowances paid to Youthreach, STTC or VTOS eligible participants on a pro-rata basis.
- Vocational Education Committees' Scholarship Scheme
- Fund for Students with Disabilities
- Student Assistance Fund
- Millennium Partnership Fund for Disadvantage

Payments made by the Dept of Agriculture:

- Farm Retirement Pensions
- Farm Retirement Workers Pensions

Payments made by the Dept of Community Rural and Gaeltacht Affairs

- Rural Social Scheme
- Farm/Fish Assist Jobseekers Allowance or Jobseekers Benefit
- One-Parent Family Payment, Widow(er)'s Pension or Disability Allowance
- Adult Dependent of a recipient of the non-contributory State Pension

Appendix B
Exempt Income Sources

Section	Title
42	Interest on savings certificates
118	Exemption from BIK – Travel Pass, new bicycle scheme
153	Distributions to certain non-residents
189	Payments in respect of personal injuries
189A	Special trust for permanently incapacitated
190	Haemophilia Trust
191	Hepatitis C
192	Thalidomide
192A	Exemption in respect of certain payment under employment law
192B	Foster Care Payment
193	Income from Scholarships
194	Child benefit
194A	Early Childcare Supplement
195A	Exemption in respect of certain expense payments
196	Expenses of members of Judiciary
196A	State Employees: Foreign Service Allowance
196B	Employee of certain agencies: foreign service allowances
197	Bonus or interest paid under instalment savings schemes
198	Certain interest not to be chargeable
199	Interest on certain securities
200	Certain foreign pensions
201	Basic and increased exemptions in respect of tax under section 123 (Redundancy) including SCSB
202	Relief for agreed pay restructuring
203	Lump sum weekly payment or resettlement allowance paid under the Redundancy Payments Act, 1967
204	Military & other pensions, gratuities and allowances – See FAQ 4.29
205	Veterans of war of independence
216A	Rent a Room relief
216B	Scéim na bhFoghlaimeoirí Gaeilge
216C	Childcare service relief



Universal Social Charge (USC) Certificate 2011

Employee Details

Surname of Employee

Date of Commencement
(if after 1 January 2011)

First Name

Date of Cessation

PPS Number

Payroll/Works Number

USC Details

Below are the details of the USC deducted in this employment only in the year 2011

Gross Income for USC

€ .00 (Insert Euro figures only)

Amount of USC Deducted

€ (Including cent)

Where an employee had more than one period of employment with the same employer in the year 2011 please insert the USC figures in respect of the latest period of employment.

Employer Details

I certify that the particulars entered above are correct.

Employer

Employer Registered Number

Address

Phone No.

E-mail

Date

Employer

This certificate is to be given to the employee along with their form P45 when they cease employment.

Employee

This is a certificate of the Universal Social Charge deducted in this employment to date of cessation. Please retain carefully.

PLEASE COMPLETE THIS CERTIFICATE IN BLOCK CAPITALS