

Road Haulier Drivers (Employees) - Subsistence Rates

Part 05-02-10

Document last updated June 2020

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1. Introduction

Over many years there has been an agreement between Revenue and the Road Haulier Industry regarding road haulier drivers' expenses. This manual sets out the conditions under which the reimbursement of subsistence expenses may be made free of tax by road haulier firms (employers) to road haulier drivers (employees). The text of the Agreement is set out at [Appendix A](#).

2. General Principles

Employers of haulier drivers have the option of operating subsistence rates on the basis of either:

- the agreed rates outlined in [paragraph 5](#) below along with the conditions set out in [paragraph 3](#),
- the [Civil Service rates](#) , or
- an employer can reimburse employees for actual receipted expenditure incurred.

Where the amounts reimbursed by an employer are in excess of the amounts referred to above, the excess will be regarded as emoluments and subject to income tax, USC and PRSI in the normal way.

Where an employee's allowable expenses are reimbursed free of tax by an employer, the question of an income tax claim by the employee for those expenses does not, of course, arise.

Employers are not required to be members of trade representative bodies to operate these rates.

3. Conditions for Claiming Subsistence

All the conditions set out below must be complied with in order to avail of the agreed [rates](#).

- (i) Appropriate books and records must be maintained by the employer so that Revenue can, on inspection, identify a driver receiving expenses with the job he or she has completed. The period of retention of records is six years after the end of the tax year to which the records refer. The records should indicate:
 - (a) Details of journey,
 - (b) Departure time,
 - (c) Destination,
 - (d) Invoice relating to the journey or delivery docket,
 - (e) Expense sheet signed by driver and duly authorised.

- (ii) Goods and passenger vehicles first registered after 1 May 2006 must be fitted with a digital tachograph. If they are registered before that date, they can be fitted with either an analogue or digital tachograph. All tachograph recordings must be maintained and made available to Revenue. The tachograph records must be retained for six years as they represent part of the books and records of the haulier business.
- (iii) The subsistence payment must only be applied to expenses wholly, exclusively and necessarily incurred in the performance of the drivers' duties. At no stage can they be regarded as an addition or as a substitute for wages.
- (iv) Time spent on board long-distance ferries from Ireland direct to Europe (excluding UK) will not count for the overnight. No subsistence should be paid for the 2 days of the trip where a return is applicable. However, where a driver has commenced work or started their return trip ten hours or more prior to boarding the ferry and is more than 8km from their base then the 10 hour rate applies.
- (v) The overnight allowance rate is inclusive of the 10 hour subsistence rate.

4. Compliance

Notwithstanding anything contained in this manual in relation to the reimbursement of subsistence expenses, Revenue reserve the right to take any steps they deem appropriate if they consider that these arrangements are being exploited for tax avoidance purposes or are otherwise misused or abused.

5. Rates of Subsistence

The following rates apply with effect from 1 July 2019:

With effect from 1 July 2019	Subsistence payable to employees with gross weekly wage of up to €378	Subsistence payable to employees with gross weekly wage of between €378-442	Subsistence payable to employees with gross weekly wage of €442 & upwards
Travel more than 8km & absence of between 5 and 10 hours	€14.14	€14.14	€15.41
Travel more than 8km & absence of greater than 10 hours	€27.31	€27.31	€36.97
Travel more than 100km in the State – 24 hours absence	€44.79	€54.77	€63.48
Overnight in Britain and N Ireland – 24 hours absence	€70.52	€87.33	€97.38
Europe & Elsewhere – 24 hours absence	€83.96	€95.71	€117.55

6. Previous Subsistence Rates for Haulier Drivers

Applicable from 1 October 2018 to 30 June 2019:

With effect from 1 October 2018	Subsistence payable to employees with gross weekly wage of up to €378	Subsistence payable to employees with gross weekly wage of between €378 - €442	Subsistence payable to employees with gross weekly wage of €442 & upwards
Travel more than 8km & absence of between 5 and 10 Hours	€12.85	€12.85	€14.01
Travel more than 8km & absence of greater than 10 hours	€25.37	€25.37	€33.61
Travel more than 100km in the State – 24 hours absence	€40.72	€49.79	€57.71
Overnight in Britain and N Ireland – 24 hours absence	€64.11	€79.39	€88.53
Europe & Elsewhere – 24 hours absence	€76.33	€87.01	€106.86

Applicable from 1 May 2009 to 30 September 2018:

With effect from 1 May 2009	Subsistence payable to employees with gross weekly wage of up to €360	Subsistence payable to employees with gross weekly wage of between €360 - €425	Subsistence payable to employees with gross weekly wage of €425 & upwards
Travel more than 5 miles & absence of between 5 and 10 hours	€12.57	€12.57	€13.71
Travel more than 5 miles & absence of greater than 10 hours	€25.37	€25.37	€33.61
Travel more than 50 miles in the State – 24 hours absence	€33.19	€40.58	€47.03
Overnight in Britain and Northern Ireland – 24 hours absence	€51.63	€63.93	€71.29
Europe & Elsewhere – 24 hours absence	€61.47	€70.07	€86.05

Appendix A – Original Agreement between Revenue and the Irish Road Haulage Association (September 1996)

Conditions and Guidelines

All the conditions set out herein must be complied with, otherwise this agreement cannot be availed of.

Conditions

- (i) Appropriate books and records must be maintained by the employer so that an Inspector of Taxes can, on inspection, identify a driver receiving expenses with the job he/she has done, i.e., the records should indicate:
 - (a) Details of journey,
 - (b) Departure time,
 - (c) Destination,
 - (d) Invoice re: journey or delivery docket,
 - (e) Expense sheet signed by driver and duly authorised.

These records must be maintained for six (6) years. An example of an expense sheet is attached for use or guidance.

- (ii) All tachographs must be fully completed and made available to Revenue auditors. The tachographs must be maintained for the two years prior to the current year.

(iii) The following rates will apply

<u>SUBSISTENCE</u>	Gross Salary per week up to IR£200	Gross Salary per week up to £201 to £230	Gross Salary per week £231 & up
Travel 5 Miles, Absence 5 - 10 hours	IR£7.12	IR£7.12	IR£7.12
Travel 5 Miles, Absence 10 hours Plus	IR£14.41	IR£14.41	IR£14.41
Travel 50 Miles, Absence 24 hours (R.O.I & N.I.)	Up to IR£22.00	£27.00	£30.00
Overnight in U.K. 24 hours Absence	Up to IR£26.00	£32.00	£35.00
Europe & Elsewhere – 24 hours absence	Up to IR£30.00	£35.00	£42.00

(iv) The subsistence payments cover expenses wholly, exclusively and necessarily incurred in the performance of drivers' duties. At no stage can they be regarded as an addition or as a substitute for wages.

Notes

- a) Drivers would be able to claim the above rates while sleeping in cabs.
- b) Time spent on board the long-distance ferries from Ireland direct to Europe excluding UK will not count for the overnight and no subsistence should be paid for the 2 days of the trip where a return is applicable. However, where a driver has commenced work or started his return trip ten hours or more prior to boarding the ferry and is more than five miles from base then the IR£14.41 rate applies
- c) The industry norm would suggest that a gross salary of IR£170.00 per week is representative of a basic wage for drivers. However, due consideration should be given to the type of haulage undertaken, age and experience of drivers and the size of the organisation, when a lower figure could apply.

- d) The allowances of IR£22.00 to IR£42.00 are inclusive of the 10-hour subsistence rate of IR£14.41.
- e) The terms and operation of this agreement will be reviewed in two years' time.
- f) Notwithstanding anything contained in this document in relation to the reimbursement of subsistence expenses, the Revenue reserve the right to take any steps they deem appropriate if they consider that these arrangements are being exploited for tax avoidance purposes or are otherwise misused or abused.

Specimen Expense Sheet

EXPENSE SHEET

COMPANY NAME: _____

ADDRESS: _____

SUBSISTENCE ALLOWANCE

Name of Driver: _____

Date & Time of Departure: _____

Date & Time of Return: _____

Journey From:	To:	And Return IR£
Expenses @ 40 x	=	
@ 35 x	=	
@ 30 x	=	
@ 15 x	=	
@ 7 x	=	

Pay By Cheque No.	_____
Cash	_____
Balance	_____

DRIVER'S SIGNATURE: _____ **DATE** _____

EMPLOYER'S SIGNATURE _____ **DATE** _____