

Administration of Professional Services Withholding Tax (PSWT)

Part 18-01-05

This document should be read in conjunction with Sections 520 to 529A of the Taxes Consolidation Act 1997

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1 Introduction

This manual outlines the administrative procedures regarding the operation of Professional Services Withholding Tax (PSWT). It also sets out the roles of Revenue Branches, Systems Support & Development Branch of Personal Division, ICT&L Division (Revenue Print Centre/Santry Warehouse) and Business Taxes Policy & Legislation Division.

Full details of how PSWT operates are contained in [Part 18-01-04](#) of the Tax and Duty manuals.

2 Identification and registration of accountable persons for PSWT

A body/entity becomes an accountable person when it is added to the list of accountable persons in Schedule 13 to the Taxes Consolidation Act 1997 or when a subordinate of such a body/entity is established or acquired.

Where a branch becomes aware, or is informed, that:

- a body/entity should be added to Schedule 13,
- an accountable person has been dissolved, or
- an accountable person has had its name changed,

the branch should advise Business Taxes Policy & Legislation Division (BTPLD).

Following enactment of the Finance Act each year, BTP&LD will advise the relevant branches of any amendments made to Schedule 13. The registration area in the appropriate branch should then proceed to register the body/entity for PSWT as they are now an accountable person.

Where a branch becomes aware or is informed that a subordinate of an existing accountable person is established or acquired, they should determine if this body will be responsible for making their own relevant payments and if so should proceed to register the subordinate body for PSWT. In some instances, the subsidiary will not make their own relevant payments as all relevant payments are made by the parent Department/company and in such instances, it may not be necessary to register the subordinate body for PSWT.

Following registration for PSWT, the branch should contact the body/entity (see sample letter at [Appendix B](#) advising that it is now an accountable person for the purposes of PSWT legislation. The letter should:

- Request the accountable person to provide to the branch details, if applicable, of all its subsidiary and subordinate bodies.

- Advise the accountable person to make requests to the branch for:
 - manual forms F45 and F43,
 - continuous or laser stationery version of form F45 and for
 - security numbers (for use with continuous or laser stationery version of form F45)
- Advise the accountable person of Revenue's requirements for the approval of their computer system for its use in the operation of PSWT.
- Direct the accountable person to use "My Enquiries" in ROS (Revenue On-Line Service), as set out in [Part 37-00-36](#) of the Tax and Duty Manuals, as the means by which they should submit any queries relating to the operation and application of PSWT.

Subsidiaries or subordinate bodies identified by the accountable person to the branch, who it is determined are responsible for making their own relevant payments, should also be issued with the letter at [Appendix B](#) after they have been registered for PSWT.

3 PSWT stationery and security numbers

Accountable persons are required to issue form F45 each time they make a relevant payment. In addition to the manual version of form F45 there is also continuous and laser stationery version of form F45 available from Revenue. In order to use the continuous or laser stationery version of form F45 an accountable person's computer system must be approved by Revenue - see requirements at [Appendix A](#). Revenue continue to accept the older version of laser stationery version of form F45 which was supplied by Aluset.

All versions of form F45 must have a security number. The manual form F45 has a pre-printed security number, while continuous and laser stationery versions do not. Security numbers contain six digits preceded by an alpha character and they should be printed on the continuous and laser stationery version of the form F45 at the same time as all other data is printed. Therefore, when placing an order for continuous or laser stationery accountable persons must also request a range of security numbers. Accountable persons can only use security numbers issued to them by Revenue, using numbers other than from a range supplied by Revenue will invalidate the form F45.

4 Requests for forms, continuous and laser stationery and security numbers

Requests from accountable persons for PSWT stationery and security numbers should be submitted to their Revenue branch.

Where an accountable person wishes to use a continuous or laser stationery version of form F45 with its computer system, the computer system must comply with the requirements set out in [Appendix A](#) and the accountable person must provide written confirmation of this to the branch.

Branches are required to email Santry Warehouse, using the PSWT Stationery Order form at [Appendix C](#) details of the quantity of manual forms, or of the continuous or laser stationery version of form F45 and security numbers, required by each accountable person.

The following material is either exempt from or not required to be published under the Freedom of Information Act 2014.

[...]

5 Interpretations/queries/legislation

All enquiries concerning registration for PSWT and the application of PSWT to payments for professional services should be dealt with, in the first instance, in the branch. Queries that cannot be handled locally should be referred to the Revenue Technical Service (RTS) in accordance with the procedures set out in [Part 37-00-00a](#) of Tax and Duty Manuals. Queries may in turn be referred to BTP&LD by the RTS, where necessary.

BTP&LD have responsibility for:

- The provision of interpretation on high-level/complex queries, submitted via the RTS.
- The annual review of the list of accountable persons set out in Schedule 13 to the Taxes Consolidation Act 1997.
- Arranging for updates of Schedule 13 by legislative amendments and notifying relevant branches of such amendments.

Appendix A: Computer system requirements for PSWT purposes

1. In order for a computer system to receive Revenue approval for its use in relation to the operation of PSWT, it must be capable of:
 - Issuing a form F45 on continuous or laser stationery in respect of each relevant payment made. A form F45 should issue on the same date as the relevant payment to which it refers and should clearly and accurately identify the specified person to whom the payment is being made. A form F45 must **never** be issued where the specified person has not supplied a tax reference.
 - Printing a security number, from the range of numbers supplied by Revenue, on each form F45 that is printed on continuous or laser stationery.
 - Providing advance notice to the accountable person, that the range of security numbers assigned are coming towards an end, so that a further range of security numbers may be requested from Revenue in good time.
 - Ensuring that forms F45 are not produced when the range of security numbers available has been exhausted. In no circumstances should a form F45 be printed either without a security number or with a number that is not within the range of numbers supplied by Revenue. Any such forms issued will be invalid and must be retrieved and a form F43 is to be issued in its place.
 - Retaining a detailed record of each relevant payment made, including a record of the security number assigned to each form F45. The accountable person needs to have access to this information in various circumstances, including:
 - For the purposes of providing the information required on the form F30 and the annual form F35.
 - Where Revenue requires verification of a particular F45.
 - Where a form F43 is being issued.
2. The computer system must also be capable of dealing with the following:
 - Where there is no PSWT liability in a month, generating for submission a nil F30 return.
 - Where necessary amending the amount of the monthly remittance to take account of an underpayment or overpayment of PSWT within a tax year. The computer system must also be capable of amending the calculation of the next monthly remittance of PSWT by the amount previously over or under paid.

- Any amendment necessary to the monthly form F30 and the end of year return form F35 as a result of the issuing of form F43, which amended the figures shown on the original form F45.
 - Producing an end of year schedule to accompany the submission of the annual form F35. The schedule must show the total payments made to each specified person and the total PSWT deducted from those payments. It must also take account of any payment errors made and corrected in the tax year. The form F35 must be filed together with any outstanding payments of PSWT that are due.
3. Revenue will only accept the use of a continuous or laser stationery version of form F45 where the conditions in sections 1 and 2 above are met.

Revenue will not accept the following:

- A form F45 printed from a computer system which is not a Revenue approved form F45 whether or not a Revenue issued security number is entered on it.
- F45 details which are hand-written on continuous or on laser stationery.
- F45/F43 issued without the specified persons tax reference number.

Appendix B: Sample letter

Mr/Ms. XXXXXXXXXXXX
Name and Address
of Public Body

Date

Re: Professional Services Withholding Tax (PSWT)

Reference:

Dear Sir/Madam,

Please note that [**name of public body**] is now an accountable person for the purposes of Professional Services Withholding Tax (PSWT) with effect from [**relevant date**].

Accountable persons are required to deduct PSWT at the standard rate (currently 20%) from “relevant payments” made by them in respect of professional services.

The Revenue website contains information on the operation of PSWT, more detailed information is contained in the “further guidance” section of the [PSWT](#) website pages.

1. Subsidiaries and subordinate entities

As [**name of public body**] is an accountable person any subsidiaries or entities under the aegis or control of [**name of public body**] is now also an accountable person for PSWT. Please forward full details of all such subsidiaries and entities.

2. Supplies of Forms F45 and F43

In relation to PSWT forms you should familiarise yourself with the information contained on the Revenue website.

Please let me know which version of forms F45 you intend using:

- manual version,
- continuous stationery version, or
- laser stationery version.

Please also give an indication of the number of forms F45 that you will initially require.

If you are opting to use continuous or laser stationery version of form F45, please note the requirements set out in the Appendix to this letter regarding the computer system and submit written confirmation that your system satisfies these Revenue requirements.

On receipt of confirmation that your computer system meets the Revenue requirements, a supply of continuous or laser stationery version of form F45 and a batch of security numbers, for use with the continuous or laser stationery version of form F45 will issue to you. **Alternatively**, a supply of manual forms F45 will be issued.

Please note any further queries regarding the application or operation of PSWT should be made through My Enquiries in the Revenue Online Service (ROS).

Yours faithfully,

Appendix C: PSWT stationery order

To: Forms & Leaflets Section (PSWT), Logistics Branch

Email: ICTL – PSWT

Registration No:	
Contact Name ¹ :	
Area/Office/Section ² :	
Accountable Body Name:	
Delivery Address:	

	Quantity Required
Manual Form F43	
Manual Form F45	
Laser Stationery F45	
Continuous Stationery F45	
Security Numbers	

From:

Revenue Branch:	
Name:	
Phone:	
Email:	

¹ This is the name of the contact person in the accountable body

² This is the area/office/section (of the accountable body) in which the contact person works