

Refund of Taxes paid on ARF Distributions

Claim form to be completed by non-resident claimant



The form should be returned by MyEnquiries.

PPSN

Name

Address

Date of Birth

Country of birth

In what country are you resident

Date you became resident in that country

Date on which your pension fund was invested into an Approved Retirement Fund (ARF)

Provide the name, address and contact details of the Qualified Fund Manager (QFM) responsible for all duties relating to the ARF (s784 TCA)

Name

Address

Contact Details

Provide the policy number and name of the Life Office / Provider or the name and Revenue reference number of the scheme or TIN of the Pan European Pension Product (PEPP) provider

Policy number

Name of the Life Office / Provider / PEPP provider

OR

Name of scheme

Revenue reference number

In what year did this income arise

Confirm that a full breakdown of distribution income, gains and capital have been provided by the QFM* Yes No

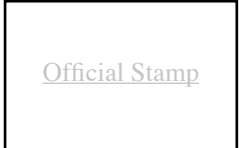
*claim forms submitted without a full breakdown of the elements of the distribution income will be deemed invalid and will be returned without processing. Please see guidance notes below.

To be completed by the tax authority in your country of residence

This stamped form will remain valid for five years, unless there is a change in your non-resident address.

I certify that the above named is / was resident of _____
for the tax year(s) (state year) _____ and that the income to which this claim
relates is liable to tax under tax reference number _____

Signed: _____ Rank: _____ Date: / /



Bank account details for repayment (in Euros) of non-resident claims

Name of claimant:

Bank account name:

IBAN (Maximum 34 characters)

BIC (Maximum 11 characters)

Who can make a claim:

Owners of ARFs, vested PRSAs, vested PEPPs and AMRFs¹ who are not resident in Ireland may be subject to taxation on this income both in Ireland and their country of residence and subsequently tax relief may be available under the terms of a Double Taxation Agreement (DTA). To ascertain the amount of relief due, information must be provided by the taxpayer indicating how the income arose within the ARF, including the date when the income arose. Once the distribution is broken down into its constituent parts (for example, interest income, dividend income, return of capital, etc.) each part should then be examined to see if DTA relief is available under the different articles of the treaty with the country of residence. Accordingly, full or partial refunds of Irish tax deducted under PAYE may be due to these taxpayers. Case law has established that, where a payment is made from a mixed fund, income and gains of the year are treated as being paid out first, and any amount paid out in excess of that year's income and gains is treated as a return of capital.

Notes on further documentation for claim:

An Approved Retirement Fund (ARF) means a fund which is managed by a Qualified Fund Manager (QFM). Where a distribution is paid from an ARF in the year, the QFM must provide a detailed breakdown of the underlying transactions constituting that distribution. Distributions either arise from "income and / or gains" or from a return of the original capital. This must be provided in a statement prepared by the QFM in order to process a claim for repayment of Irish taxes paid on an ARF by a non-resident individual.

Unit linked funds:

Some ARF products sold by life assurance companies are structured as unit linked funds, where the individual invests their pension pot into a pooled fund and owns units in that fund. The ARF owner, in these cases, simply owns a share of that fund, the units; they are not the beneficial owner of the underlying assets in the fund. Revenue accepts that it is not appropriate for the underlying accumulation of income within the unit linked fund to be broken down and provided in support of the refund claim. Accordingly, it is the income and/or gains which arise from the units or disposal of the units that constitute the distribution that arises, much as it does to an individual holder of units.

Time Limit:

There is a limit to how far back you can claim a refund of taxes paid on ARF distributions. This limit is subject to the four year rule, meaning you can only request reviews or claim refunds from the last four years. For example, claims for 2019 must be made by 31 December 2023. Claims made after this time cannot be repaid.

The Revenue Commissioners collect taxes and duties and implement customs controls. Revenue requires customers to provide certain personal data for these purposes and certain other statutory functions as assigned by the Oireachtas. Your personal data may be exchanged with other Government Departments and agencies in certain circumstances where this is provided for by law. Full details of Revenue's data protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available on our **Privacy** page on www.revenue.ie. Details of this policy are also available in hard copy upon request.

The information in this document is provided as a guide only and is not professional advice, including legal advice. It should not be assumed that the guidance is comprehensive or that it provides a definitive answer in every case.

¹ Finance Act 2021 made a number of changes to AMRF legislation, effectively abolishing them as a pension product. All existing AMRFs became ARFs on 1 January 2022. However non-resident claimants can still apply for a refund of taxes paid on distributions from AMRFs within the four year time limit.