Guidelines for VAT Registration

Part 38-01-03b

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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.

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1. Introduction

This manual outlines the process for approval of Value Added Tax (VAT) registration applications, whether received electronically or on paper

Additional information concerning the operation of the VAT system and the eligibility criteria for VAT applicants may be accessed on the <u>Revenue website</u>.

All references to legislation refer to the VAT Consolidation Act 2010 unless otherwise specified.

2. Importance of Appraising VAT Applications

The main priority when appraising a VAT application is to establish that the proposed registration relates to a business or individual who is, or who will become, an accountable person. An accountable person is a person who is required to charge VAT on supplies of taxable goods or services in the State and who is, or is required to be, registered for VAT. The legal requirements are set out in section 65 of the VAT Consolidation Act 2010, and Article 19 of the VAT Regulation 2010.

VAT registration is a high-risk area for Revenue because of the potential for bogus traders to register for the purpose of obtaining VAT-free goods in any European Union (EU) Member State, or to falsely obtain VAT refunds. It is essential that effective screening takes place to ensure that only legitimate applications result in the issue of a VAT registration number. In any application where there is a doubt as to whether a genuine business exists, a visit should be made by a Revenue caseworker prior to granting a VAT registration number.

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[...]

3. Application for Registration

An application for VAT registration should be submitted online. There are a small number of applicant categories who currently cannot avail of eRegistration and may submit a paper application form. These are outlined at <u>3.3</u> below.

3.1 Two-tier VAT registration

Customers applying for a VAT registration must specify whether they wish to apply for 'Domestic-only' or Intra-EU' status.

Customers not undertaking any Intra-EU trade should apply for 'Domestic-only' status.

Customers intending to trade with businesses elsewhere in the EU should apply for 'Intra-EU' status, which will enable them to make Intra-Community acquisitions. Customers granted 'Intra-EU' status will be registered automatically for VAT Information Exchange System (VIES) reporting obligations. (Customers are obliged to make a VIES return when they make a zero-rated supply to a trader in another EU member state.)

Customers applying for 'Intra-EU' status are required to provide additional details on their application forms, including information related to transport arrangements, the nature of supplies and acquisitions, and due diligence measures undertaken to establish the bona fides of customers and suppliers. Customers with a 'Domestic-only' status may at any time apply for 'Intra-EU' status, at which point they will be asked to provide these same details.

Customers with live VAT registrations granted prior to the introduction of Two-Tier Registration will be treated as having 'Intra-EU' status.

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[...]

3.2 Online applications

Customers and agents should apply online for their tax registration through the eRegistration facility which is accessible via ROS. This facility enables customers and agents to register, deregister and manage Agent-Client Links (register new links or cancel existing links) across a range of tax heads including VAT.

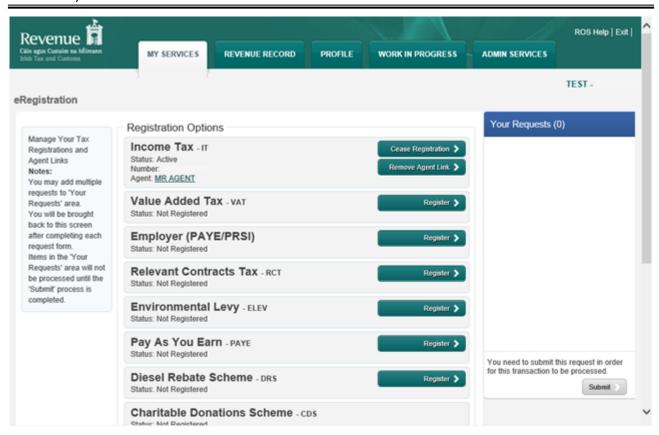


Figure 1: eRegistration Registration Options screen

The VAT eRegistration screens displays as follows:

VAT Registration	
Denotes a required field further information may be requested to facilitate the processing of y	rour VAT application
Registration Date (DD/MM/YYYY) *	11/06/2019
Accounting Period End (DD/MM) *	
Returns Basis *	Please Select × ▼
State the expected turnover figure for the first 12 months (?)	*
Is business only registered for receipt of services from abroa	d and to self
account for VAT?	
Will your business engage in the supply of goods and/or serv	ices?
Please tick as appropriate and provide a brief description in t	he box below
State the storage and distribution address in Ireland for good	s *
State the courier/delivery service provider for sales *	<u> </u>
	supply of goods and/or services to other EU member states, you are inc
You should answer "Yes" to the following question(s) if you are or and wish to apply VAT at 0%. By selecting "Yes" to either of the questions below in relation to the	supply of goods and/or services to other EU member states, you are incided by the states of the stat
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Figure 2: eRegistration VAT registration screen

Where the applicant indicates an intention to acquire goods or services from, or supply to, other EU Member States, the application is for an Intra-EU VAT registration. Intra-EU applications require further information, as set out below:

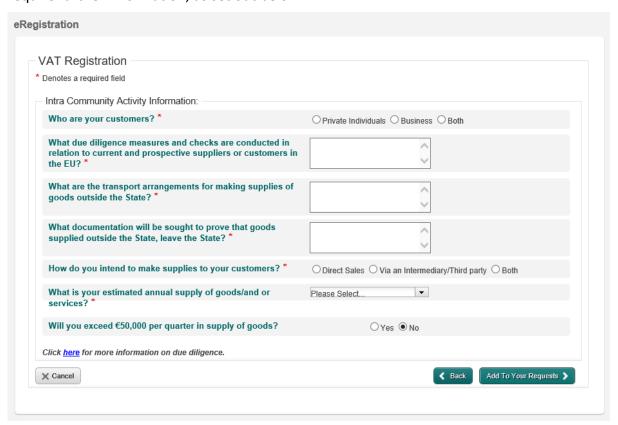


Figure 3: eRegistration VAT Registration – Intra Community Activity Information screen

The Tax and Duty Manual on 'How to protect your business from becoming involved in VAT fraud' provides guidance on how to conduct appropriate due diligence, including a (non-exhaustive) list of specific checks that can be carried out. Customers should consult this document in determining the checks appropriate for their circumstances. In filling out their 'intra-EU' VAT application, customers should briefly list the checks which they conduct (or propose to conduct) in assessing their trading partners.

For the question on transport arrangements for supplies outside the state, applicants should provide (where known) the names of transport operators to be used and indicate who engages (or will engage) the transport operator. For the question on proving that goods leave the State, applicants should briefly outline how they propose to establish that goods were delivered to the invoiced purchaser (e.g., checking and retaining Goods Received Notes, retaining evidence of payment to transport operator, etc.).

3.3 Paper applications

Applicants in the following categories cannot access the eRegistration service and should continue to submit paper applications:

- Individuals currently not eligible to register for myAccount
- Non-assessable spouses
- Companies that have no Irish-resident directors
- Unincorporated Bodies and Non-Profit Organisations e.g., Schools, Boards of Management,
 Charities, who are not represented by an agent
- Executors
- Collection Agents.

Paper applications received from applicants outside the above categories should be returned to the taxpayer / agent with a request that the application be submitted online.

Where an agent applies to register a customer for VAT, the agent will be automatically linked on Revenue's records to the client for VAT. The agent will be required to upload a letter of authorisation, signed by the customer, before the registration can be completed. The client, individual or business concerned is notified directly by Revenue of any eRegistration transaction resulting in the creation or cancellation of an agent link.

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[...]

Applicants in categories that cannot avail of the e-Registration facility may use the appropriate paper form:

- Form TR1 is the tax registration form for resident individuals, partnerships, trusts or unincorporated bodies registering for tax in Ireland.
- Form TR2 is the tax registration form for resident companies registering for tax in Ireland.
- Form TR1 (FT) is the tax registration form for non-resident individuals, partnerships, trusts or unincorporated bodies registering for tax in Ireland.
- Form TR2 (FT) is the tax registration form for non-resident companies registering for tax in Ireland.

The paper VAT application and the relevant supporting documentation should be sent by post to:

- a) Large Corporates Division for associates of existing LCD customers
 Postal address: Office of the Revenue Commissioners, High Wealth & Financial Services
 Division, Anne Street, Wexford, Y35 E29K. Email address: largecasesdiv@revenue.ie.
- b) High Wealth & Financial Services Division for Financial Institutions (other than Credit Unions), Stockbroking Firms, Investment Funds regulated by the Central Bank of Ireland, Real Estate Investment Trusts, IDA-supported companies (over 300 employees), Aircraft Leasing Entities, Insurance / Re-insurance Entities, ICAVs (Authorised Funds), Debt Securitisation Entities or Remote Bookmakers.
- c) Business Division for all other customers. Postal address: Business Registrations, Office of the Revenue Commissioners, P.O. Box 1, Wexford.

Email address: businesstaxesregistrations@revenue.ie.

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[...]

3.4 VAT registration application details

All applications, whether electronic or paper, provide information which must be considered in the appraisal of the VAT application. If any required information is missing, contact should be made with the applicant/agent as appropriate. A template query letter is attached at Appendix 5.

3.4.1 Date of registration

The accountable person is required to specify the date from which they wish to register. The commencement date of the registration may be backdated to a prior date only in cases where the annual expected turnover exceeds the VAT registration threshold.

A person may elect to be registered for VAT where turnover is less than the threshold but may only register with effect from the beginning of the VAT period in which the application is made. The commencement date of registration cannot be backdated prior to that date.

If the date of registration is not completed, contact should be made to confirm the date from which registration is required, i.e., the date should not be assumed.

Occasionally, forward-dated applications are received. These applications should be processed to Applicant Status and then registered, if appropriate, on the required date.

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[...]

3.4.3 Reason for registering

The Applicant must indicate on the registration form the basis on which registration is being sought. If the Applicant is electing to register with turnover less than the prescribed threshold for VAT registration, this should be clearly indicated on the application form.

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[...]

3.4.4 Expected turnover and registration thresholds

Applicants are obliged to indicate the estimated turnover for their business. An accountable person established in the State is not required to register for VAT if their turnover does not reach the appropriate threshold; however, they may elect to register for VAT.

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[...]

3.4.5 Cash receipts

The applicant must indicate on the registration application if they are operating a cash receipt basis of accounting for goods and services by inserting an 'x' in the appropriate box.

A VAT registered trader usually accounts for VAT on an invoice basis. This means that the trader accounts for VAT on the basis of invoices issued during the VAT period regardless of whether payment has been received.

However, a trader may apply to account for VAT on the basis of monies received. Further information on the monies received basis of accounting is available on the Revenue website.

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[...]

3.4.6 Agent correspondence

Where the customer wishes to have correspondence, i.e. VAT 3s, issued to the agent, the relevant box must be ticked in Part A of the TR application form or in the relevant eRegistration field.

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[...]

3.4.7 Bank account details

This item refers to the bank account into which any VAT refunds will be made.

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[...]

3.4.8 Developer or landlord property details for VAT purposes

In applications concerning Property Development or Property Rental where it is not clear that there will be a taxable supply of the property, contact should be made with the applicant/agent. A template letter for this purpose is provided at Appendix 6.

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[...]

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

[...]

3.6 VAT registration for groups

A VAT group is a group of persons established in the State which is treated as a single <u>accountable</u> <u>person</u>. VAT group registration removes the necessity of issuing VAT invoices in respect of transactions within the group (except in the case of certain property transactions).

To be registered as a VAT group the members of the group must be closely bound by:

- financial
- economic
- organisational links.

At least one of the members must be a taxable person.

Not every member of the group must be an accountable person. Holding companies are permitted to be part of a group.

One of the members of the group will be established as the group remitter. This member becomes responsible for dealing with all VAT requirements for the whole group. This includes:

 submission of VAT returns and

making VAT payments to the Collector General.

Each member of the group will be jointly and severally liable for any VAT liabilities arising in the event of VAT non-compliance.

VAT group registration is subject to approval by Revenue. The group remitter must submit a <u>Form VAT52</u> to <u>their Revenue Office</u>. The remaining entities of the VAT group are referred to as group non–remitters. Non-remitters must submit a <u>Form VAT53</u> to their Revenue office.

Further information is available on the Revenue website or refer to the Guidelines for VAT Groups.

3.7 Submission of supporting documentation

Providing relevant information that supports the application at the time of submission may reduce the waiting time for a VAT registration. The online applicant is provided with screens which allow applicants to upload optional supporting documents including:

- Evidence of a business address such as a lease on the premises or evidence of efforts to secure a business premises
- A copy of a contract relating to the supply and receipt of goods or services
- An example of sales and purchase invoices already held
- Details of customer and supplier lists
- Market research, business projections or feasibility studies for the business to be registered
- If a state licence is required to enable trading then please upload a copy of the licence or otherwise provide the details of that licence
- Any other documentation that will provide evidence of trade or an intention to trade.

The option to "Upload Documents" is available on the VAT First Summary screen (Fig 8 - please note the Agent screen also has the option to generate a Client Consent Letter). Clicking on the button allows the ROS user to upload the relevant documents.

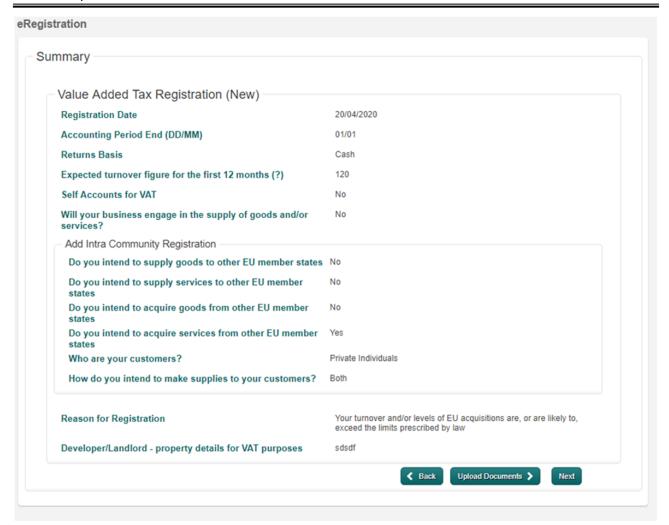


Figure 4: VAT First Summary screen

The VAT upload screen (Fig 9 below) is where the applicant can attach the supporting documents with their VAT registration application. Clicking 'Next' brings the customer to the Attachment Summary screen. Clicking 'Back' will take the customer back to the Summary screen but without attaching any documents to the VAT request. All the supporting documents listed in this page are optional. The files are optional and can be up to 5mb in size.

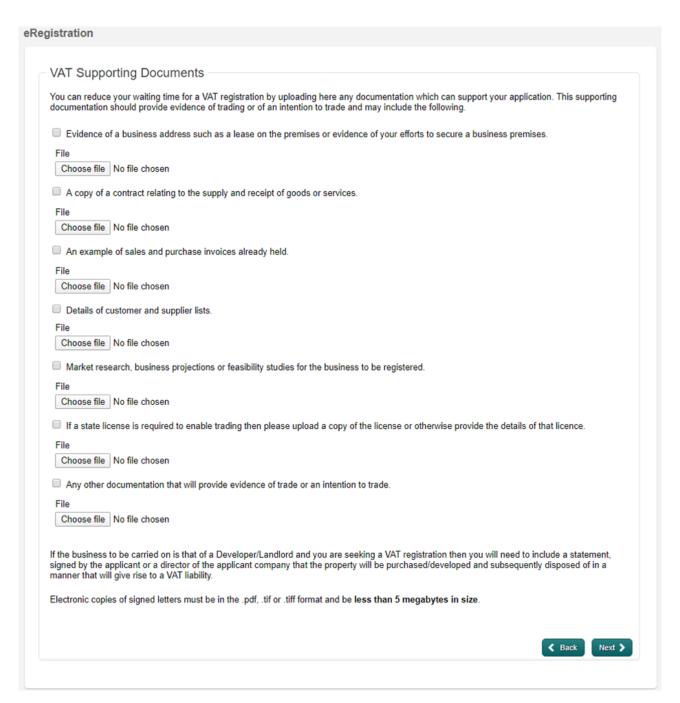


Figure 5: VAT upload screen

The VAT Summary Screen (Fig 10 below) lists all the documents that have been attached with the VAT application. Customers can remove any attached documents on this screen.

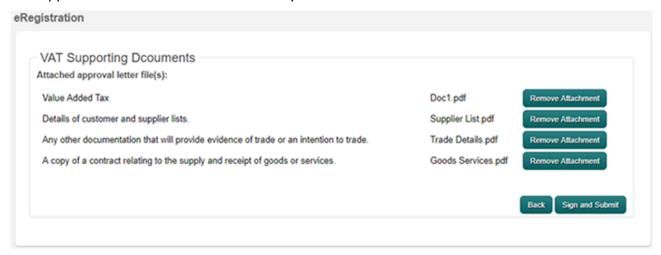


Figure 6: VAT Summary screen

If multiple tax registration requests are being submitted at the same time the final summary screen will display the consolidated list of documents (see Fig 11 below).

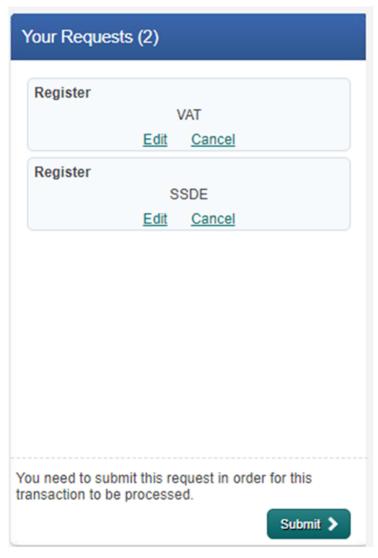


Figure 7: Cart Screen

As outlined in <u>Section 3.5</u> non-resident applicants are currently outside the scope of the online process. In such cases, any supporting documentation and information should be submitted with the paper application form.

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[...]

4.3 Section 108D of the VAT Consolidation Act 2010

Section 108D is an anti-fraud measure that enables Revenue to protect VAT revenues by ensuring that suppliers, particularly suppliers in other Member States, are made aware of the cancellation of particular VAT registration numbers and of their obligation to charge VAT on future supplies to those numbers.

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[...]

5.4 'Intention to Trade' applications

A business which has not yet commenced to supply taxable goods or services may register for VAT subject to the provision of satisfactory evidence that the applicant will become an accountable person. Such evidence of 'intention to trade' may include:

- Leases
- Contracts
- Tools of the Trade.

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[...]

If the applicant is registering for VAT in advance of proposed property transactions, a contract which provides for future entitlement to the land may be taken as an indicator of 'intention to trade'. However, the following minimum conditions must be met before the VAT in respect of a property transaction is allowable:

- The person must declare their intention to make a taxable disposal of an interest in the land **and**
- That intention must be supported by objective evidence. Such evidence can be:

 Evidence of acquisition of an interest in the land or of an entitlement to develop the land:

- Evidence of application for/obtaining of planning permission for development of the land;
- Evidence of funding for the proposed development e.g. copies of up-to-date bank statements and other correspondence identifying transactions, including any deposits for the prospective purchase of the land, which support the claim that the person's intention is to make a taxable supply of the land in question.

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

[...]

6. Registering a VAT Application

6.1 Section 110 estimates

Section 110 enables Revenue to enforce payment of tax against a taxable person who has failed to submit a VAT return for any taxable period within the prescribed time after the end of that period.

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

[...]

There are different rates of VAT currently applicable to goods and services.

<u>The Value-Added Tax (VAT) rates database</u> provides an extensive list of products and services which can be browsed, navigated via the A to Z links or searched using the search box.

The legislation governing the VAT rating of goods and services is contained in the Value-Added Tax Consolidation Act 2010.

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

[...]

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

[...]

6.5 Mandatory eFiling of returns

Mandatory electronic filing (eFiling) of payments and returns using ROS, is part of Revenue's strategy to establish the use of electronic channels as the normal way of conducting tax business. eFiling is mandatory in all cases unless an exemption has been granted by Revenue. Upon registration for VAT an "Advice of Registration" letter (VAT2) is automatically issued.

The content of the letters is tailored according to the trading-tier status as well as the basis of accounting for VAT:

- domestic invoice basis (<u>Appendix 7</u>)
- domestic monies received basis (<u>Appendix 8</u>)
- intra-EU invoice basis (Appendix 9)
- intra-EU monies received basis (Appendix 10).

6.5.1 Irish-language customers

On registering for VAT with Revenue, Irish-language cases will receive an Irish version of the Advice of Registration letter included at Appendices 6 to 9 as appropriate.

7. Disallowing a VAT Application

Apart from applications where the bona fides of the application is in doubt, there may be other instances where an application for VAT registration has been disallowed. There may be no evidence of an accountable activity or the application may have been made in error. In such cases, the application should be disallowed with the appropriate notification issued to the applicant.

The main reasons an application may be disallowed include:

Exempt Activity

Where the business is deemed to be an exempt activity at the time of the VAT Registration Application as specified in Schedule 1 of the VAT Consolidation Act, 2010, see template letter in Appendix 11.

Not Accountable

Where it is deemed that the applicant is not at the time of application an accountable person for the purposes of Value Added Tax as defined in section 5(1)(a) of the VAT Consolidation Act 2010, see template letter in <u>Appendix 12</u>.

No VATable Activity

Where there is no evidence that taxable supplies are being made and the conditions for VAT registration as set out in section 5(1)(a) of the VAT Consolidation Act 2010 have not been met, see template letter in Appendix 13.

Liquidator/Receiver/Mortgagee

The joint option for taxation of a supply of immovable goods requires that the goods which are being supplied form part of the assets of the business of an accountable person over which that Liquidator/Receiver/Mortgagee-In-Possession has been appointed. In circumstances where these requirements are not met the VAT Applications can be disallowed. See template letter in Appendix 14.

No Response

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

[...]

7.1 Right of appeal

Officers should note that a person has the right of appeal against the refusal to grant registration in accordance with section 119(2) VATCA. Where a registration is refused, the applicant is to be advised of this right. See Refusal template letter at Appendix 16.

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

[...]

8. Postponed Accounting

Since 11pm on 31st December 2020, Postponed Accounting arrangements have been available to suitably registered accountable persons in Ireland who acquire goods from countries outside of the EU VAT area. Further information on Postponed Accounting is available here.

This section sets out the arrangements for making and processing a Postponed Accounting application alongside a VAT application.

Postponed Accounting of VAT can only be granted to customers with a live C&E registration. Applicants should register for C&E before they apply for VAT / Postponed Accounting so that the VAT and Postponed Accounting applications can be considered simultaneously. Further information on how to register for C&E is available here. (Special arrangements for those with no prior Irish tax registration are set out in Section 8.1.1 below.)

8.1 Paper VAT Applications

VAT applicants who are unable to register for VAT online (see <u>section 3.3</u> above) may apply for Postponed Accounting as part of their paper VAT application by completing the Postponed Accounting section on the appropriate form. Supporting documentation as outlined in <u>section 8.3</u> should be included with the application.

8.1.1 Applicants with no Irish tax registration number

Where the applicant has no previous Irish tax registration number, they will need to complete their VAT and C&E registrations before the application for Postponed Accounting can be processed.

Applicants should indicate on the VAT registration application form whether they wish to avail of Postponed Accounting and attach the supporting documentation outlined in section 8.3.

Once the VAT registration number is issued the applicant should then register for C&E using the VAT registration number. When both the VAT and C&E registrations are approved the customer should notify Revenue accordingly. This notification should be submitted via MyEnquiries by selecting the heading of "Tax Registration/Cancellation" and then select the subheading of "VAT Postponed Accounting". Alternatively, an email can be sent to the relevant address as outlined below providing details of both registrations and requesting Postponed Accounting authorisation:

- High Wealth & Financial Service Division customers should use the email address: HWFSDiv@revenue.ie
- Large Corporates Division (LCD) customers should use the email address: largecasesdiv@revenue.ie.
 - LCD customers will include associates of existing LCD customers and Financial Institutions (other than Credit Unions), Stockbroking Firms, Investment Funds regulated by the Central Bank of Ireland, Real Estate Investment Trusts, IDAsupported companies (over 300 employees), Aircraft Leasing Entities, Insurance / Re-insurance Entities, ICAVs (Authorised Funds), Debt Securitisation Entities or Remote Bookmakers.
- All other customers should use the email address: businesstaxesregistrations@revenue.ie.

8.2 Online VAT Applications

A new 'Postponed Accounting' heading is available within the VAT registration/re-registration screens to allow applicants to apply for Postponed Accounting with their online application for VAT registration.

Applicants who wish to apply for Postponed Accounting must first answer 'Yes' to the question:

"Do you intend to import goods from outside the EU? Yes/No"

Those who answer 'Yes' will then be asked whether they wish to be considered for Postponed Accounting of VAT on such imports.

Applicants should ensure that they answer each question asked and attach documentary evidence as appropriate.

To be considered for Postponed Accounting certain criteria must be met as outlined under the <u>Conditions of VAT - Postponed Accounting</u>. Supporting documentation will be required as outlined in 8.3 Supporting Documentation

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

[...]

/AT Pegistration						
/AT Registration Denotes a required field	NAT application					
nther information may be requested to facilitate the processing of your Registration Date (DD/MM/YYYY) *	22/02/2021					
Accounting Period End (DD/MM) *	01/01					
Returns Basis *	Cash		•			
State the expected turnover figure for the first 12 months (?) *	1234					
s business only registered for receipt of services from abroad an account for VAT?	d to self					
Will your business engage in the supply of goods and/or services? ● Yes ○ No						
Please tick as appropriate and provide a brief description in the b	ox below O Goods O Service	es 💿	Both			
State the storage and distribution address in Ireland for goods *						
State the courier/delivery service provider for sales *						
Postponed Accounting:						
Do you intend to import goods from outside the EU?		Yes	ONe			
If Yes, Do you wish to be considered for Postponed Accounting such imports?	of VAI on	Yes	○No			
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Figure 8: ROS VAT registration screen

Applicants who answer 'Yes' to any of the supply questions in Intra Community Activity will be presented with the Intra EU screen after clicking on 'Next'.

Once they have answered the Intra Community Activity questions they will proceed to the Postponed Accounting Information screen.

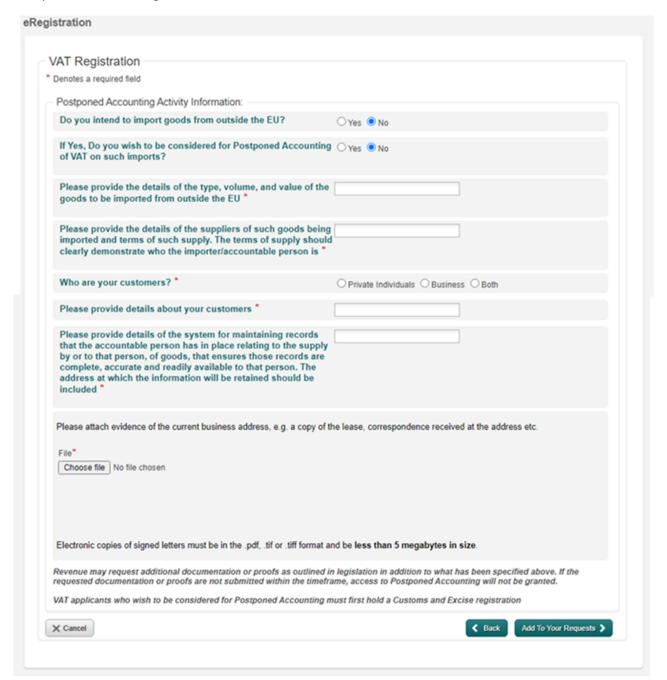


Figure 9: VAT Postponed Accounting information screen

The details provided by the applicants will be displayed in the Summary screen (fig. 14) before the application is signed and submitted. This Summary screen will also display the information provided for Postponed Accounting.

Applicants can choose to upload any supporting documents by clicking on the 'Upload Documents' button.

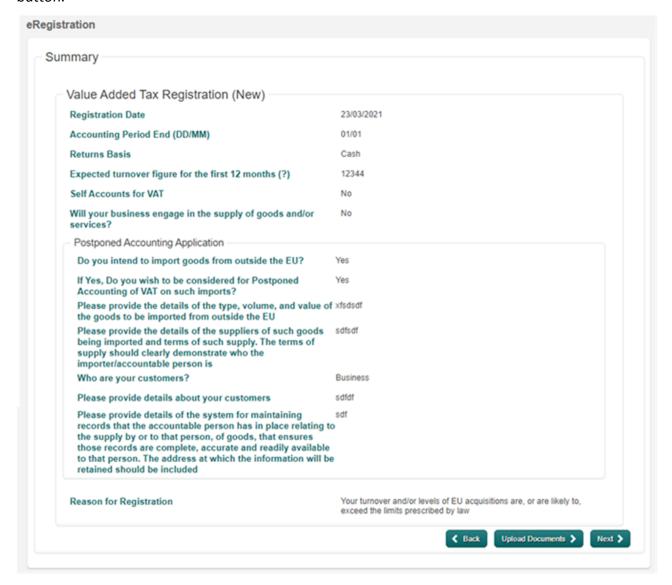


Figure 10: VAT Summary screen

Applicants are strongly encouraged to provide as much information and supporting evidence as possible, as full and comprehensive replies will save time processing the application.

Clicking the 'Upload Documents' button from figure 14 will bring the applicant to the following screen:

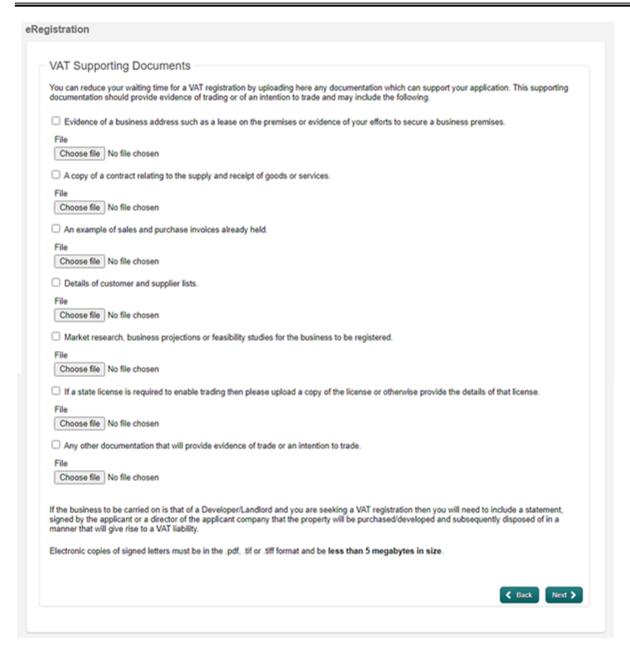


Figure 11: VAT Supporting Documents screen

Applicants can review all the attached documents uploaded as part of their VAT application from the attachment summary screen. This summary screen will also allow applicants to remove any of the attached documents.

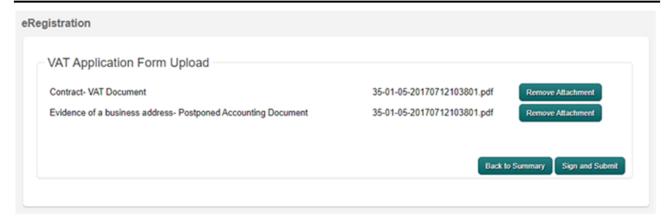


Figure 12: VAT Application Form Upload screen

Applicants still have the option at this point to remove incorrect attachments before submitting their application.

If an applicant does remove an attachment then they will be given the option to attach a replacement as shown in figure 17 below.

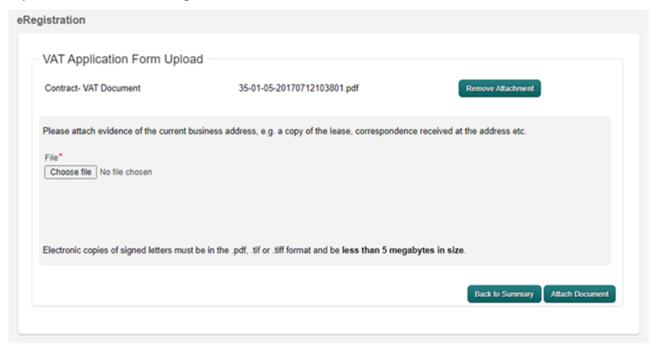


Figure 13: VAT Application Form Upload screen with replacement attachment

Once completed the applicant can then 'Sign and Submit' their application.

Further details on the relevant supporting documentation are available in section 8.3.

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

[...]

8.2.1 Applicants with VAT registration subsequently applying for Postponed Accounting Accountable persons who were registered for VAT after 11:00pm on 31 December 2020 and now wish to avail of Postponed Accounting, must first register for C&E using their VAT registration number. When the C&E registration is approved the customer should apply for Postponed Accounting online via ROS. In the 'Other Services' menu, select 'Manage Tax Registrations'

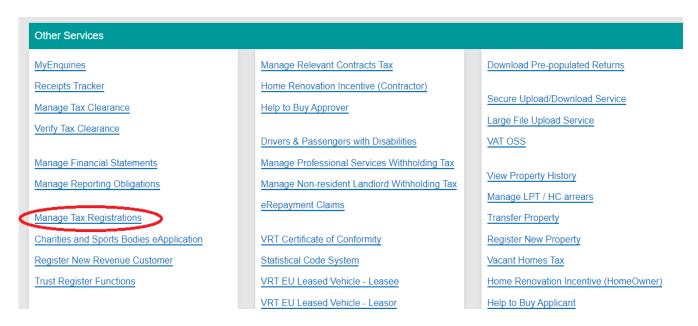


Figure 19: Manage Tax Registrations screen

In the Value Added Tax section, select 'Apply for Postponed Accounting of VAT'

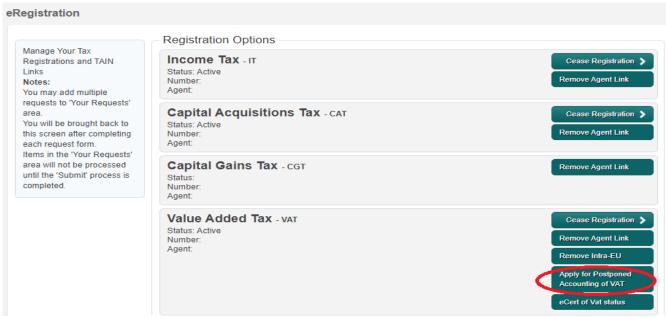


Figure 20: Apply for Postponed Accounting of VAT

Complete the Postponed Accounting Activity Information and select 'Submit':

eRegistration	
VAT Registration * Denotes a required field	
Postponed Accounting Activity Information:	
Do you intend to import goods from outside the EU?	No
If Yes, do you wish to be considered for Postponed Accounting of VAT on such imports?	No
Please provide the details of the type, volume, and value of the goods to be imported from outside the EU *	
Please provide the details of the suppliers of such goods being imported and terms of such supply. The terms of supply should clearly demonstrate who the importer/accountable person is *	
Who are your customers? *	O Private Individuals O Business O Both
Please provide details about your customers *	
Please provide details of the system for maintaining records that the accountable person has in place relating to the supply by or to that person, of goods, that ensures those records are complete, accurate and readily available to that person. The address at which the information will be retained should be included *	
Please attach evidence of the current business address, e.g. a copy of t	he lease, correspondence received at the address etc.
File* Choose file No file chosen	

Figure 21: Postponed Accounting Activity Information

Submit the request in order for the transaction to be processed.

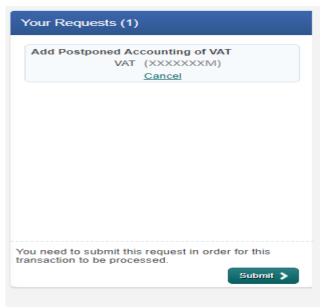


Figure 22: Submit request

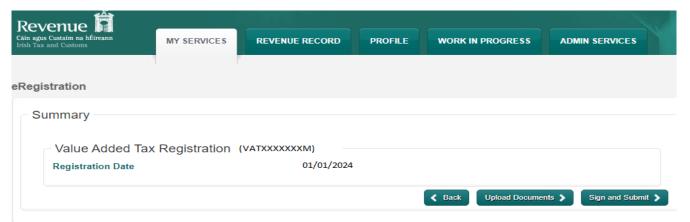


Figure 23: Summary of Registration

Load the Certificate number, enter Password and select 'Sign & Submit'

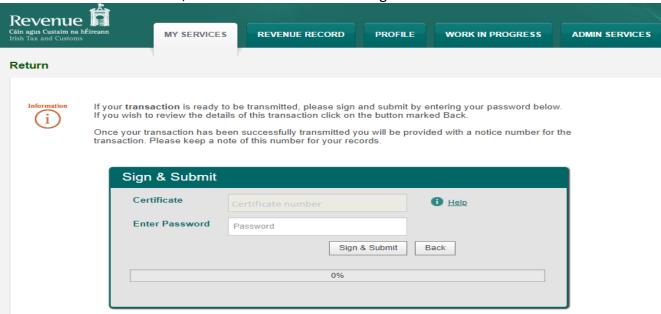


Figure 24: Sign & Submit screen

ROS will issue an acknowledgement confirming the Online Registration Return with a Notice Number to be used in any future correspondence.

Applicants who cannot access the eRegistration service (outlined in Section 3.3) can submit a notification via myEnquiries by selecting the heading of "Tax Registration/Cancellation" and then select the subheading of "VAT Postponed Accounting". An email can be sent to the relevant address as outlined below providing details of both registrations and requesting Postponed Accounting authorisation:

- Large Corporates Division for associates of existing LCD customers, email address
 <u>largecasesdiv@revenue.ie</u>. Postal address: Office of the Revenue Commissioners, High
 Wealth & Financial Services Division, Anne Street, Wexford, Y35 E29K.
- High Wealth & Financial Services Division for Financial Institutions (other than Credit Unions), Stockbroking Firms, Investment Funds regulated by the Central Bank of Ireland, Real Estate Investment Trusts, IDA-supported companies (over 300 employees), Aircraft Leasing Entities, Insurance / Re-insurance Entities, ICAVs (Authorised Funds), Debt Securitisation Entities or Remote Bookmakers. Email address: https://doi.org/hwf50iv@revenue.ie.
 Postal address: Office of the Revenue Commissioners, High Wealth & Financial Services Division, Anne Street, Wexford, Y35 E29K.
- All other customers should use the email address: businesstaxesregistrations@revenue.ie.

8.2.2 Agents

There will be no change to the process currently followed by agents who are submitting a Domestic only/Intra EU application. Agents wishing to submit a Postponed Accounting application will follow the same steps as outlined above.

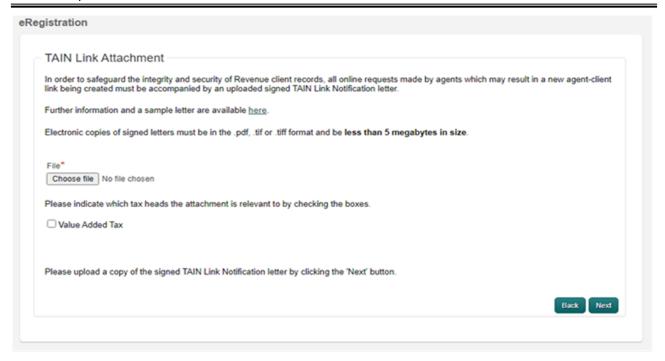


Figure 14: TAIN Link Attachment initial screen

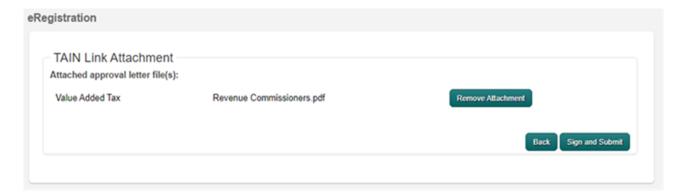


Figure 15: TAIN Link Attachment submission screen

Agents will be able to apply for Postponed Accounting while they are registering a resident company or a company in liquidation through the updated Customer Registration services as shown in figure 20.

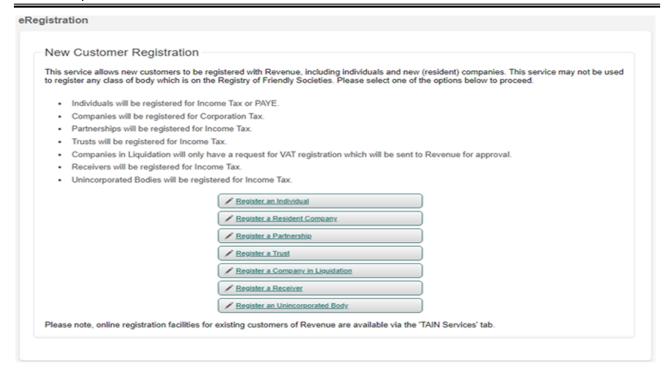


Figure 16: Agents New Customer Registration screen

8.3 Supporting Documentation

To be considered for Postponed Accounting certain criteria must be met as outlined under the <u>Conditions of VAT - Postponed Accounting</u>. The type of documentation to include to support the application is as follows:

- Evidence of the current business address and, where relevant, previous business addresses.
- Information relating to the type, volume and value of goods and services supplied to or by the accountable person concerned.
- Documentation or information relating to the supply of goods or services to or by the accountable person concerned, for example:
 - details of suppliers or customers of the accountable person concerned (e.g., invoices);
 - the terms and conditions of such supply
 - negotiations relating to that supply, the means by which the goods or services are to be supplied; and
 - the commercial rationale for the accountable person concerned supplying or receiving those goods or services.
- Confirmation that the accountable person concerned has in place a system for maintaining records relating to the supply by or to that person of goods and services that ensures those records are complete, accurate and readily available;

Revenue may request additional documentation or proofs as outlined in legislation in addition to what has been specified above. Failure to submit the requested documentation or proofs within the timeframe will lead to exclusion from Postponed Accounting by the issue of a Notice of Exclusion. A sample of the letter to request supporting documentation is available at Appendix 17.

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

[...]

9. VAT Number Verification

Traders can verify if a quoted Irish domestic VAT number is valid using the VAT number verification tool. This tool is accessible from the Other Services panel in MyServices/TAIN services in ROS and from the Manage My Records panel in MyAccount.

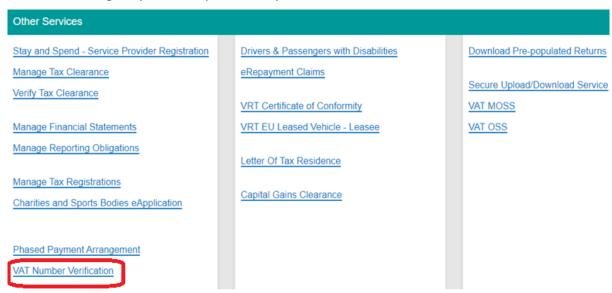


Figure 17 ROS - VAT Number Verification

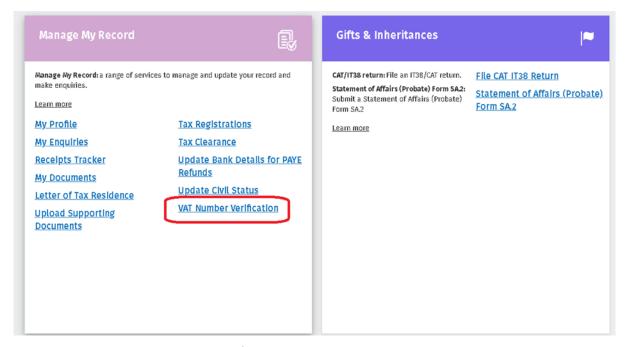


Figure 18: MyAccount - VAT Number Verification

The application will return messages "Yes, valid VAT Number" or "No, invalid VAT Number" depending on the validity. A daily limit of 20 checks has been set. If this limit is exceeded, the error

message "You have exceeded the daily amount of VAT Number queries. You may not exceed 10 queries in one day" will be displayed. If the user inputs the same VAT Number twice in one day, this will not be counted towards their daily limit. A message will be displayed in this circumstance stating "This VAT Number has already been verified as valid" or "This VAT Number has already been verified as invalid".

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

[...]

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

[...]

Appendix 5 Standard Query Letter

Letter to Query TR1/TR2/ Registration Form

Re:
Dear Sir/Madam,
Please find enclosed TR1/TR2/PREM Reg. form that you submitted to this office. We are unable to process your application as the following information has been omitted:
☐ The form is not signed
☐ The business address and telephone number
☐ The Companies Registration Office number
☐ The main business or activity
☐ The PPS numbers for the directors/individuals/partners
☐ The names and addresses of directors
☐ The details of shareholders
☐ The date of registration for VAT/PREM
☐ Complete registration for PAYE/PRSI if you will have employees
☐ Bank Account details
☐ Other
I should be obliged if you would complete the form with the above information enclosed and return it to this office so that your application can be processed.
Yours sincerely,
Date

Appendix 6 Property Query Letter

(VA	AT Registi	ration – Property Development/F	Property Rental)
Re	f:		Date
De	ar Sir/Ma	idam,	
	=	or your recent application for VA the following information:	T registration. To enable me to process same, please
a)	Address	of the property or properties	
b)	Date pu applicab	-	menced or due to commence and completion date (if
c)	Planning	g permission reference number (if applicable)
d)	Please also confirm how the property will be disposed of or used in a manner, which will give rise to a VAT liability e.g.		
	1) By sa	ale of the property, or	
	2) By e	xercising the landlord's 'option to	o tax' rents.
		ent should be signed in the case of a company by the company secre	of a partnership by the precedent acting partner or in etary or director
		ld be noted that the 'option to ta operty' on the Revenue website	ax' cannot apply in certain circumstances. See 'VAT and at www.revenue.ie.
Yo	urs faithf	ully	
	ncipal Of		

Appendix 7 Advice of Domestic-only VAT Registration - Invoice Basis

VALUE ADDED TAX (VAT) ADVICE OF DOMESTIC-ONLY REGISTRATION

You are registered for domestic-only Value Added Tax with effect from Day Month 2020. Your VAT number is **IE 1234567AA**

This number should be quoted as required on invoices, settlement vouchers, etc., and on customs declarations.

You cannot use this domestic-only VAT registration number to acquire goods or services from suppliers in other EU Member States at a rate of 0%.

If you intend to carry on intra-EU trade, either supplies or acquisitions at a rate of 0%, you should apply for an intra-EU VAT registration. You can do this online via ROS > Manage Tax Registrations > Add Intra-EU.

You are hereby authorised to determine your tax by reference to monies received in respect of your turnover from supplying taxable goods and taxable services except in relation to transactions excluded from such treatment.

You must file a VAT Return and make a payment of VAT when due, to avoid incurring interest and penalties. It is an offence under the VAT Act 2010 to carelessly or deliberately file an incorrect VAT return.

Returns/Payments via the Revenue Online Service (ROS).

Your VAT3 returns and payments **must** be made electronically using ROS. If you do not use ROS you could be subject to a monetary penalty. Please note that you are also legally obliged to use ROS in respect of a range of other specified tax returns or if you are availing of certain reliefs and exemptions. Further information regarding the mandatory use of ROS to both file and pay is available on www.revenue.ie under the ROS section.

If you do not have the capacity to make returns and payments electronically, you can apply to be excluded from the obligation to do so. Please see overleaf for exclusion conditions and how to apply.

If you are not already registered for ROS you should register now, by logging onto www.revenue.ie and clicking the Online Services section. If you need assistance with registration or using the ROS facilities, you can contact our ROS Technical Helpdesk at + 353 1 738 3699.

If Revenue has a record of a tax agent acting on your behalf, your tax agent will also receive a copy of this notification.

Cessation: Resident/Non-Resident Individual/Company.

In the event of your trading activity having ceased in the State, you are obliged to cancel your tax registration number. This can be done online via ROS or by completing Form TRCN1 which is available on the Revenue website.

Exclusion from Mandatory Electronic Filing and Payment of Tax

Revenue may exclude a taxpayer from their obligation to pay and file electronically, if Revenue is satisfied that the taxpayer does not have the capacity* to do so. If you consider that you qualify for an exclusion you can apply in writing stating your reason(s) to your local tax office. If your request for exclusion is not approved by Revenue, you have a right to formally appeal the decision to refuse your exclusion request to the Tax Appeal Commissioners (TAC) for determination.

If you wish to appeal against this refusal, you must do so within the period of 30 days after the date of the refusal by completing and submitting a 'Notice of Appeal' form to the TAC. The 'Notice of Appeal' form, which is available on the TACs website http://www.taxappeals.ie contains the address to which an appeal is to be sent. You will be required to submit a copy of the refusal with your 'Notice of Appeal'. The TAC can be contacted by email at info@taxappealsireland.ie.

^{*} Capacity means sufficient access to the Internet, by which either or both a specified return or the payment of any specified liabilities may be made by electronic means and, in the case of an individual, also means not prevented by reason of age, or mental or physical infirmity from either or both making a specified return or paying any specified liabilities by electronic means.

Appendix 8 Advice of Domestic-only VAT Registration - Monies Received Basis

VALUE ADDED TAX

ADVICE OF DOMESTIC-ONLY REGISTRATION

You are registered for Value Added Tax with effect from xx date. Your VAT number is

IE 9999999W

This number should be quoted as required on invoices, settlement vouchers, etc., and on customs declarations.

You cannot use this domestic-only VAT registration number to acquire goods or services from suppliers in other EU Member States at a rate of 0%.

If you intend to carry on intra-EU trade, either supplies or acquisitions at a rate of 0%, you should apply for an intra-EU VAT registration. You can do this online via ROS > Manage Tax Registrations > Add Intra-EU.

You are hereby authorised to determine your tax by reference to monies received in respect of your turnover from supplying taxable goods and taxable services except in relation to transactions excluded from such treatment.

You must file a VAT Return and make a payment of VAT when due, to avoid incurring interest and penalties. It is an offence under the VAT Act 2010 to carelessly or deliberately file an incorrect VAT return.

Returns/Payments via the Revenue Online Service (ROS).

Your VAT3 returns and payments **must** be made electronically using ROS. If you do not use ROS you could be subject to a monetary penalty. Please note that you are also legally obliged to use ROS in respect of a range of other specified tax returns or if you are availing of certain reliefs and exemptions. Further information regarding the mandatory use of ROS to both file and pay is available on www.revenue.ie under the ROS section.

If you do not have the capacity to make returns and payments electronically, you can apply to be excluded from the obligation to do so. Please see overleaf for exclusion conditions and how to apply.

If you are not already registered for ROS you should register now, by logging onto www.revenue.ie and clicking the Online Services section. If you need assistance with registration or using the ROS facilities, you can contact our ROS Technical Helpdesk at + 353 1 738 3699.

If Revenue has a record of a tax agent acting on your behalf, your tax agent will also receive a copy of this notification.

Cessation: Resident/Non-Resident Individual/Company.

In the event of your trading activity having ceased in the State, you are obliged to cancel your tax registration number. This can be done online via ROS or by completing Form TRCN1 which is available on the Revenue website.

Exclusion from Mandatory Electronic Filing and Payment of Tax

Revenue may exclude a taxpayer from their obligation to pay and file electronically, if Revenue is satisfied that the taxpayer does not have the capacity to do so. If you consider that you qualify for an exclusion you can apply in writing stating your reason(s) to your local tax office.

"Capacity" means sufficient access to the Internet, by which either or both a specified return or the payment of any specified liabilities may be made by electronic means and, in the case of an individual, also means not prevented by reason of age, or mental or physical infirmity from either or both making a specified return or paying any specified liabilities by electronic means.

If your request for exclusion is not approved by Revenue, you have a right to formally appeal the decision to refuse your exclusion request to the Tax Appeal Commissioners (TAC) for determination.

If you wish to appeal against this refusal, you must do so within the period of 30 days after the date of the refusal by completing and submitting a 'Notice of Appeal' form to the TAC. The 'Notice of Appeal' form, which is available on the TACs website http://taxappeals.ie contains the address to which an appeal is to be sent. You will be required to submit a copy of the refusal with your 'Notice of Appeal'. The TAC can be contacted by email at info@taxappealsireland.ie.

Appendix 9 Advice of Intra-EU VAT Registration - Invoice Basis

VALUE ADDED TAX (VAT)

ADVICE OF INTRA-EU REGISTRATION

You are registered for intra-EU VAT with effect from Day Month 2020. Your VAT number is | IE 9999999W|.

This number should be quoted as required on invoices, settlement vouchers, etc., and on customs declarations.

You are hereby authorised to determine your tax by reference to monies received in respect of your turnover from supplying goods and services except in relation to transactions excluded from such treatment.

You must file a VAT return and make a payment of VAT when due, to avoid incurring interest and penalties. It is an offence under the VAT Act 2010 to carelessly or deliberately file an incorrect VAT return.

An intra-EU VAT registration facilitates intra-community acquisitions from, and reporting of intra-community supplies to, all EU Member States.

If you indicated in your VAT registration application that you will be making intra-EU supplies to VAT registered customers in other EU Member States you will be required to submit mandatory VAT Information Exchange System (VIES) returns to Revenue. A separate letter, outlining your VIES reporting obligations, will issue to you.

If your circumstances change and you no longer carry on any Intra-EU trade, either acquisitions or supplies, you can amend your VAT registration using ROS.

Returns/Payments via the Revenue Online Service (ROS).

Your VAT3 returns and payments **must** be made electronically using ROS. If you do not use ROS you could be subject to a monetary penalty. Please note that you are also legally obliged to use ROS in respect of a range of other specified tax returns or if you are availing of certain reliefs and exemptions. Further information regarding the mandatory use of ROS to both file and pay is available on www.revenue.ie under the ROS section.

If you do not have the capacity to make returns and payments electronically, you can apply to be excluded from the obligation to do so. Please see overleaf for exclusion conditions and how to apply.

If you are not already registered for ROS you should register now, by logging onto www.revenue.ie and clicking the Online Services section. If you need assistance with registration or using the ROS facilities, you can contact our ROS Technical Helpdesk at + 353 1 738 3699.

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Revenue may exclude a taxpayer from their obligation to pay and file electronically, if Revenue is satisfied that the taxpayer does not have the capacity* to do so. If you consider that you qualify for an exclusion you can apply in writing stating your reason(s) to your local tax office.

If your request for exclusion is not approved by Revenue, you have a right to formally appeal the decision to refuse your exclusion request to the Tax Appeal Commissioners (TAC) for determination.

If you wish to appeal against this refusal, you must do so within the period of 30 days after the date of the refusal by completing and submitting a 'Notice of Appeal' form to the TAC. The 'Notice of Appeal' form, which is available on the TACs website http://taxappeals.ie contains the address to which an appeal is to be sent. You will be required to submit a copy of the refusal with your 'Notice of Appeal'. The TAC can be contacted by email at info@taxappealsireland.ie.

* Capacity means sufficient access to the Internet, by which either or both a specified return or the payment of any specified liabilities may be made by electronic means and, in the case of an individual, also means not prevented by reason of age, or mental or physical infirmity from either or both making a specified return or paying any specified liabilities by electronic means.

Appendix 10 Advice of Intra-EU VAT Registration - Monies Received Basis VALUE ADDED TAX

ADVICE OF INTRA-EU REGISTRATION

You are registered for Value Added Tax with effect from xx date. Your VAT number is

IE 9999999W

This number should be quoted as required on invoices, settlement vouchers, etc., and on customs declarations.

You are hereby authorised to determine your tax by reference to monies received in respect of your turnover from supplying goods and services except in relation to transactions excluded from such treatment.

You must file a VAT return and make a payment of VAT when due, to avoid incurring interest and penalties. It is an offence under the VAT Act 2010 to carelessly or deliberately file an incorrect VAT return.

An intra-EU VAT registration facilitates intra-community acquisitions from, and reporting of intra-community supplies to, all EU Member States.

If you indicated in your VAT registration application that you will be making intra-EU supplies to VAT registered customers in other EU Member States you will be required to submit mandatory VAT Information Exchange System (VIES) returns to Revenue. A separate letter, outlining your VIES reporting obligations, will issue to you.

If your circumstances change and you no longer carry on any intra-EU trade, either acquisitions or supplies, you can amend your VAT registration using ROS.

Returns/Payments via the Revenue Online Service (ROS).

Your VAT3 returns and payments **must** be made electronically using ROS. If you do not use ROS you could be subject to a monetary penalty. Please note that you are also legally obliged to use ROS in respect of a range of other specified tax returns or if you are availing of certain reliefs and exemptions. Further information regarding the mandatory use of ROS to both file and pay is available on www.revenue.ie under the ROS section.

If you do not have the capacity to make returns and payments electronically, you can apply to be excluded from the obligation to do so. Please see overleaf for exclusion conditions and how to apply.

If you are not already registered for ROS you should register now, by logging onto www.revenue.ie and clicking the Online Services section. If you need assistance with registration or using the ROS facilities, you can contact our ROS Technical Helpdesk at + 353 1 738 3699.

If Revenue has a record of a tax agent acting on your behalf, your tax agent will also receive a copy of this notification.

Cessation: Resident/Non-Resident Individual/Company.

In the event of your trading activity having ceased in the State, you are obliged to cancel your tax registration number. This can be done online via ROS or by completing Form TRCN1 which is available on the Revenue website.

Exclusion from Mandatory Electronic Filing and Payment of Tax

Revenue may exclude a taxpayer from their obligation to pay and file electronically, if Revenue is satisfied that the taxpayer does not have the capacity to do so. If you consider that you qualify for an exclusion you can apply in writing stating your reason(s) to your local tax office.

"Capacity" means sufficient access to the Internet, by which either or both a specified return or the payment of any specified liabilities may be made by electronic means and, in the case of an individual, also means not prevented by reason of age, or mental or physical infirmity from either or both making a specified return or paying any specified liabilities by electronic means.

If your request for exclusion is not approved by Revenue, you have a right to formally appeal the decision to refuse your exclusion request to the Tax Appeal Commissioners (TAC) for determination.

If you wish to appeal against this refusal, you must do so within the period of 30 days after the date of the refusal by completing and submitting a 'Notice of Appeal' form to the TAC. The 'Notice of Appeal' form, which is available on the TACs website http://taxappeals.ie contains the address to which an appeal is to be sent. You will be required to submit a copy of the refusal with your 'Notice of Appeal'. The TAC can be contacted by email at info@taxappealsireland.ie.

Appendix 11 Exempt Activity Letter

Name
Address 1
Address 2
Address 3
Date:
Re:
Reference Number:
Application for VAT Registration
Dear Sir/Madam
I refer to your application to register the above named for Value Added Tax (VAT).
Please note that based on the information provided, I am satisfied that the nature of the business is (enter nature of business) and is an exempt activity at this time as specified in Schedule 1 of the VAT Consolidation Act, 2010. (Enter relevant Schedule/Section). Accordingly, I am disallowing your application for VAT registration.
Please do not hesitate to contact the undersigned should you wish to discuss this matter.
Yours faithfully
Name:
Unit:
Phone Number:

Appendix 12 Not Accountable Letter

Name
Address 1
Address 2
Address 3
Date:
Re:
Reference Number:
Application for VAT Registration
Dear Sir/Madam
I refer to your application to register the above named for Value Added Tax (VAT).
Having reviewed your application, I am satisfied that you/your company/your client (delete as appropriate) is not an accountable person for the purposes of Value Added Tax as defined in Section 5(1)(a) of the VAT Consolidation Act 2010.
I am therefore disallowing your application for Vat registration.
Should you wish to discuss this matter further, please do not hesitate to contact the undersigned
Yours faithfully
Name:
Unit:
Phone Number:

Appendix 13 No Vatable Activity Letter
Name
Address 1
Address 2
Address 3
Date:
Re:
Reference Number:
Application for VAT Registration
Dear Sir/Madam
I refer to your application to register the above named for Value Added Tax (VAT).
Please note that based on the information available to me, I am not satisfied that there is objective evidence that taxable supplies are being made. Accordingly, as the conditions for VAT registration as set out in Section 5(1)(a) of the VAT Consolidation Act 2010 have not been met, I am disallowing your application for registration.
Should you wish to discuss this matter further please do not hesitate to contact the undersigned.
Yours faithfully
Name:
Unit:
Phone Number:

Appendix 14 Liquidator/Receiver/Mortgagee Letter

Name
Address 1
Address 2
Address 3
Date:
Re:
Reference Number:
Application for VAT Registration
Dear Sir/Madam
I refer to your application to register for Value Added Tax (VAT) for the above entity.
The joint option for taxation of a supply of immovable goods by a Liquidator/Receiver/Mortgagee-In-Possession (delete as appropriate) to a taxable person requires that the goods which are being supplied form part of the assets of the business of an accountable person over which that Liquidator/Receiver/Mortgagee-In-Possession has been appointed.
As the immovable goods subject to sale by the Liquidator/Receiver/Mortgagee-In-Possession (delete as appropriate) do not meet these requirements, I am disallowing your application for VAT registration.
Should you wish to discuss this matter further please do not hesitate to contact the undersigned.
Yours faithfully
Name:
Unit:
Phone Number:

Appendix 15 No Contact Letter

Name
Address 1
Address 2
Address 3
Date:
Re:
Reference Number:
Application for VAT Registration
Dear Sir/Madam
I refer to your application of (Enter date) to register the above named for Value Added Tax (VAT).
An enquiry letter subsequently issued to you on (enter date) seeking further information/clarification which is required to progress your application.
To date, I note that no response to this letter has been received. Accordingly, I am writing to inform you that your application for VAT registration has been disallowed at this time.
Should you wish to discuss this matter further please do not hesitate to contact the undersigned.
Yours faithfully
Name:
Unit:
Phone Number

Appendix 16 Refusal letter

Appendix 17 Postponed Accounting Supporting Documentation Letter

Letter Requesting Postponed Accounting Supporting Documentation
Date:
Dear Sir/Madam,
I refer to your application for VAT - Postponed Accounting. In order for us to consider your application can you provide us with the following information and / or documentation as appropriate:
Evidence of the current business address and previous business addresses, if any
 Information relating to the type, volume, and value of goods and services supplied to customers
 Documentation or information relating to the supply of goods or services:
 details of suppliers or customers (e.g., invoices) the terms and conditions of such supply negotiations relating to that supply, and details of the means by which the goods or services are to be supplied the commercial rationale for the supply or receipt of those goods or services
 Confirmation that you have in place a system for maintaining records relating to the supple of goods and services that ensures those records are complete, accurate and readily available
Your request will be considered on receipt of the information as requested above.

Yours faithfully

(Caseworker Name)

Business Division Registration Unit

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

[...]