

# Taxation News

## Mandatory disclosure regime guidelines updated

Tax and Duty Manual (Mandatory disclosure guideline notes) Part 33-03-01 contains links to Revenue guidelines on the mandatory disclosure regime, which is provided for by Chapter 3 of Part 33 of the Taxes Consolidation Act 1997.

Guidelines for the regime reflecting legislative changes up to Finance Act 2014 were published in January 2015. These have now been updated and an overview of the changes made is provided in the manual.

Guidelines for the regime, reflecting how the regime applies for transactions which were commenced prior to 24 October 2014, have not been changed.

Source: [www.revenue.ie](http://www.revenue.ie)

## Has your Local Authority Rate changed for 2020?

From 2015 onwards, Local Authorities can vary the Local Property Tax (LPT) base rate on residential properties. The base rate is the rate as applied in 2014. The Local Authority can increase or decrease the rate by up to 15% from the base rate. This is referred to as the 'Local Adjustment Factor' (LAF).

### Local Authority increases and reductions for 2020

Some local authorities increased their rate for 2020, while others have opted to decrease rates for 2020.

Revenue adjusted your LPT record if your Local Authority adjusted your LPT rate for 2020. You can use the online calculator to calculate your annual LPT liability.

The following table shows the rates applied for 2019 and 2020 and confirms which Local Authorities have adjusted the rate for 2020.

Source: [www.revenue.ie](http://www.revenue.ie)

Local Authority	2019 (Variation from 2014 rate)	2020 (Variation from 2014 rate)
Carlow County Council	Nil	Up 5%
Cavan County Council	Nil	Nil
Clare County Council	Nil	Up 15%
Cork City Council	Nil	Nil
Cork County Council	Nil	Up 5%
Dun Laoghaire Rathdown County Council	Down 15%	Down 15%
Donegal County Council	Nil	Up 15%
Dublin City Council	Down 15%	Down 15%
Fingal County Council	Down 10%	Down 10%
Galway City Council	Nil	Nil
Galway Council	Nil	Nil
Kerry County Council	Nil	Up 10%
Kildare County Council	Nil	Up 7.50%
Kilkenny County Council	Nil	Up 15%
Laois County Council	Up 10%	Up 10%
Leitrim County Council	Nil	Up 15%
Limerick City & County Council	Up 7.5%	Up 15%
Longford County Council	Up 15%	Up 15%
Louth County Council	Nil	Nil
Mayo County Council	Nil	Nil
Meath County Council	Nil	Nil
Monaghan County Council	Nil	Up 15%
Offaly County Council	Nil	Up 15%
Roscommon County Council	Nil	Up 15%
Sligo County Council	Nil	Up 15%
South Dublin County Council	Down 15%	Down 15%
Tipperary County Council	Nil	Up 10%
Waterford City & County Council	Up 2.5%	Up 2.5%
Westmeath County Council	Nil	Nil
Wexford County Council	Up 10%	Up 10%
Wicklow County Council	Nil	Up 10%

## Dual-Resident Companies: A New Tax & Duty Manual

A new Tax and Duty Manual Part 35-01-11, Dual-Resident Companies, has been created which outlines the new rule under Article 4 of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting ('the MLI') regarding the residence for treaty purposes of companies which are resident of more than one jurisdiction ('the tie-breaker rule').

The MLI came into force for Ireland on 1 May 2019. It operates to modify Ireland's Double Taxation Conventions ('DTCs') in accordance with the final positions adopted by Ireland and its treaty partner on ratification of the MLI.

Where both Ireland and its treaty partner have opted for the tie-breaker rule, the particular treaty will be modified to include this provision. From the effective date, the tie-breaker rule requires the competent authorities to endeavour to resolve cases of corporate dual residence

by mutual agreement having regard to a number of factors. Taxpayers affected or potentially affected by the tie-breaker rule must request the initiation of the mutual agreement procedure under the Mutual Agreement Procedure (MAP) Article of the relevant DTC.

In general, the tie-breaker rule will come into effect in respect of any of Ireland's DTCs at the earliest for taxable periods beginning on or after 1 November 2019.

Source: [www.revenue.ie](http://www.revenue.ie)