



## Polasaí agus Nósanna Imeachta/Policies and Procedures

<b>Code</b>	QA326
<b>Title</b>	Payment of professional membership fee/subscription for staff
<b>Policy Owner</b>	Bursar
<b>Date</b>	25 October 2023
<b>Approved By</b>	Údarás na hOllscoile

### 1.0 Purpose

To ensure adherence to relevant regulations and legislation in the payment of membership fees and subscriptions for university staff from university-controlled funds.

### 2.0 Description

**2.1** As per Revenue's guidance, they state that employers may pay (or reimburse to a member of staff) without the deduction of tax/other statutory deductions, professional membership fees where those fees are incurred wholly, exclusively, and necessarily by an individual in the performance of the duties or his or her employment.

**2.2** Revenue also clarify that professional membership fees/subscriptions paid by employers (or reimbursed to employees) are not liable to a PAYE, PRSI, USC & PRD deduction where all the following conditions are met:

- The circumstances in which professional membership fees are incurred wholly, exclusively, and necessarily in the carrying on of an office or employment.
- There is a statutory requirement for membership or a professional body or to hold a practising certificate or there is no statutory requirement, but certain statutory provisions may restrict the ability of an individual to fulfil the full duties of an office or employment unless he or she is a member of a relevant professional body
- Where annual professional membership fees are commercially necessary
- Indispensable condition of the tenure of employment

**2.3** Revenue have confirmed that the following are indicators that a membership or certificate is required to be held as part of the tenure of an individuals' employment:

- If a requirement is included in his or her employment contract to hold such membership
- If all staff in the same role are required to hold the particular membership or certificate
- If the staff member would be dismissed or transferred if he or she:
  - Did not acquire such membership or certificate
  - Did not hold such membership or certificate or
  - Failed to maintain his or her membership or certificate
- If job advertisements for the same role require the membership or certificate to be held



- 2.4** Where the University pays professional membership fees/subscriptions on behalf of employees without the deduction of tax, the employee cannot subsequently claim an expense deduction for the cost of the membership using myAccount or by completing a Form 12 as they have not suffered tax on this amount.
- 2.5** Revenue guidance states that generally only one membership per employee may be provided tax-free where multiple memberships allow the employee to carry out the same or similar duties (such as in the case of an accountant acting as a tax advisor).

Revenue’s examples [Part 05-02-18 - Deduction for expenses in respect of annual membership fees paid to a professional body \(revenue.ie\)](#)

The Revenue position is that one of the membership fees should not be treated as allowable. Where both fees are paid by the employer, statutory deductions (PAYE/PRSI etc.) should be applied to one of them.

### 3.0 Completion of forms

In all cases, the form at Appendix 1 herewith must be completed, authorised, and submitted/attached to relevant source documents submitted for payment processing (invoice or expense claim).

### 4.0 Approvals

The following table outlines approvals required in authorising payment of subscription or membership fees in accordance with this policy.

Expense Claimant	Approver
President	Chair of Governing Authority
Deputy President and Registrar	President*
Other UMT members: Bursar Chief Operating Officer Secretary for Governance and Academic Affairs Director of HR	President*
Vice-Presidents: Vice-President: Research and Innovation Vice-President: Equality and Diversity Vice-President: International Vice-President: Engagement	President*
President’s Direct Reports: Director of Risk and Internal Audit <b>Director of Marketing and Communications</b> Director of Planning and Administration <b>Director of Public Affairs</b>	President*
<u>All</u> Deans	Registrar and Deputy-President*
Academic Secretary	Registrar and Deputy-President*
Head of School	Head of affiliated College*
Head of Discipline	Head of affiliated School*



Head of Administrative Unit	Relevant UMT member*
Research Institute Director	Head of affiliated College*
Research Centre Director	Head of affiliated School*
Research Budget Holder	Head of affiliated School*
Researcher	Research Budget Holder*
All Other Staff	Head of Academic / Administrative Unit*

\* Or authorised nominee. While authorised nominee(s) may approve/process payment of subscription(s)/membership fee(s) via expense claims 'on-line' on behalf of budget holders, the onus is 'Approvers' to ensure compliance with policy.

## 5.0 Responsibilities

Name	Responsibility
Bursar	Policy Owner
Claimant/beneficiary	<ul style="list-style-type: none"><li>• Ensure adherence to this policy .</li><li>• Complete Appendix 1 and submit with supporting documentation required to process payment of professional membership fee/subscription.</li><li>• Inform Payroll and Expenses Office if subscription is liable to BIK in order to process it for appropriate tax deductions.</li></ul>
Authoriser/Approver	<ul style="list-style-type: none"><li>• Ensure adherence to this policy.</li><li>• Approve payment as outlined in the approval matrix above.</li><li>• Sign declaration completed by claimant in Appendix 1</li><li>• Advise claimant to inform Payroll and Expenses Office if an approved subscription is liable to BIK in order to process it for appropriate tax deductions.</li></ul>
Director Financial Accounts	<ul style="list-style-type: none"><li>• Ensure policy adheres to Revenue guidance.</li></ul>

## 6.0 Related Documentation

<https://www.revenue.ie/en/employing-people/benefit-in-kind-for-employers/other-benefits/examinations-courses-professional-subscriptions.aspx>



**Appendix 1:**

**Declaration that payment of professional membership subscription/fee is wholly, exclusively, and necessary for the employee in question to fulfil their duties in the University.**

The completed form below is to be submitted by claimant with supporting documentation (invoice or expense claim) when payment of professional membership fee/subscription is being processed.

**Professional subscriptions/Membership fees etc.**

If you pay a subscription to a professional body for your employees, that payment is taxable. However, in limited and restricted circumstances, you may pay professional subscriptions without deduction of tax.

You can pay subscriptions to a professional body for an employee without deduction of tax where those fees are incurred wholly, exclusively, and necessarily by an individual in the performance of the duties or his or her employment.

You can also pay the subscription without deduction of tax if the following apply:

- The circumstances in which professional membership fees are incurred wholly, exclusively, and necessarily in the carrying on of an office or employment;
- There is a statutory requirement for membership or a professional body or to hold a practising certificate or there is no statutory requirement, but certain statutory provisions may restrict the ability of an individual to fulfil the full duties of an office or employment unless he or she is a member of a relevant professional body;
- Where annual professional membership fees are commercially necessary;
- Indispensable condition of the tenure of employment.

Please complete the following as appropriate:

<b>Employee Name</b>	
<b>Staff ID</b>	
<b>Job Title</b>	
<b>Membership</b>	
<b>Value €</b>	
<b>Other membership/subs paid for this employee?</b>	

**Claimant:** I confirm that I have read and understood the University’s policy on paying professional membership fee/subscription on behalf of its employees from university-controlled funds.

**Approver:** I certify that payment of attached professional membership subscription/fee is wholly, exclusively, and necessary for the employee in question to fulfil their duties in the University.

	<b>Claimant</b>	<b>Approver</b>
<b>Signed</b>		
<b>Print full name</b>		
<b>Date</b>		