

1. Policy Summary

The purpose of this policy is to outline the conditions relating to the payment of membership subscriptions to professional bodies/academic associations and societies and to ensure that the University policy on this matter complies with changes to section 118 (5 e) of the Taxes Consolidation Act 1997 as amended by the Finance Act 2011. Under this change, Benefit-in-Kind (BIK) may be payable on membership subscriptions to professional bodies and academic associations and societies.

2. Scope of the Policy

This policy applies to all staff.

3. Policy & Procedures

Membership subscriptions to professional bodies and academic associations/societies can be paid on approval by a Head of School/Unit. It is important to note that these payments will (where approved by a Head of School/Unit) be charged to the School/Unit budget or research accounts which accept these payments as eligible costs. Such subscriptions play an important role in maintaining academic/professional standards in UCD. Where staff qualify for professional subscription payments, normally only one professional subscription per staff member will be paid.

Subscriptions less than €250

In cases where the subscription fee cost is less than €250, these payments can be processed without BIK (under a Revenue small benefit exemption) through the standard claims procedure for “vouched expenses” as set out on the Bursar’s Office website <http://www.ucd.ie/bursar/forms.html> or can be processed through the e-Procurement system.

Subscriptions in excess of €250

Subscriptions in excess of €250 may in some cases, be subject to Benefit in Kind (BIK). The Revenue Commissioners issued an eBrief in 2011 detailing three instances where the BIK requirement would not apply.

1. There is a statutory requirement for membership of a professional body before an individual can carry out the duties of their employment
2. Where there is a requirement for a practicing certificate or licence before they can carry out the duties of their employment
3. Other situations where membership fees of a professional body may be deductible where the following conditions are satisfied:
 - a. The duties of the employee and the duties of the employment require the exercise or practice of the occupation or profession in respect of which the annual membership fee refers

- b. The employee so exercises the profession or practices the occupation or profession in respect of which the annual membership fee refers; and
- c. Membership of the professional body is an indispensable condition of the tenure of employment

A small number of staff qualify for BIK exemption for their professional subscriptions under headings 1 and 2. These exemptions apply to the in-house solicitor, GPs employed in the General Practice area in the School of Medicine and veterinary practitioners. Staff that fall into this category can have their subscriptions paid through with the standard vouched expenses claim process as outlined above.

Under heading 3, professional subscription payments can only be exempt from BIK if membership of the relevant body is specifically detailed in an individual's contract as "an indispensable condition of the tenure of employment". The Budget Review Committee has set out that contracts for Accountants and Actuaries should reflect that professional membership is an indispensable condition of employment. Staff that fall into this category can have their subscriptions paid through with the standard vouched expenses claim process as outlined above.

Multiple subscriptions in excess of €250.

In limited cases, staff members may be members of several different associations/societies where the total cost of the subscriptions exceeds the Revenue small benefit exemption of €250. In such cases, the total involved may be subject to BIK even if no individual subscription exceeds €250.

For subscriptions over €250 and in cases of multiple subscriptions, the Head of School/Unit will be asked to indicate (through the Professional Subscriptions Application Form) whether the professional membership(s) is/are indispensable. Once this has been confirmed, the staff member can submit the approved Professional Subscriptions Form (see attached) along with the standard vouched expenses claim form available on the Bursar's Office website <http://www.ucd.ie/bursar/forms.html>.

In circumstances where the Head of School/Unit deems the membership to be "not indispensable but desirable", these will be dealt with on a case-by-case basis. It is important to note that staff that fall into this category will have to pay the BIK liability.

Where a Head of School/Unit deems that membership is not relevant to the role, then no payment will be made to the staff member.

Process for amounts over €250

1. Staff member submits professional subscription application to Head of School/Unit for assessment and signature.
2. Approved Application forwarded by the Staff Member to the Bursar's Office for processing.
3. Bursar's Office forward a copy of the approved Professional Subscriptions Application Form to UCD HR (Compensation & Benefits). The form will be an "addendum to the staff member's contract of employment.

4. High level Roles & Responsibilities

As set out in the policy above, a number of parties have responsibilities regarding the application of this policy:

- Head of School / Unit: Sign off responsibility.
- Staff member: Submission of application to Head of School/Unit for sign off. Staff member should then forward signed application to Bursar's Office for processing
- Bursar's Office: Processing of application.
- UCD HR: For amounts of €250, the subscriptions application form to be an addendum to the staff member's contract of employment.

5. Relevant Forms

- Standard vouched expenses claim form available on the Bursar's Office website <http://www.ucd.ie/bursar/forms.html>
- Professional Subscriptions Form available from UCD HR website <http://www.ucd.ie/hr/forms>

