



Reporting Deadline

2019 Share Schemes

January 2020



31 March 2020 is the mandatory due date for the filing of returns of information for employee share participation schemes in respect of 2019. Failure to comply with this mandatory filing obligation can result in a penalty. In the cases of Revenue approved schemes (such as Approved Profit Sharing Schemes, Employee Share Ownership Trusts and Save as You Earn option schemes) Revenue approval can be withdrawn, and for KEEP option schemes the company would no longer be regarded as a qualifying company. The procedure to file the Forms RSS1 and KEEP1 has changed. In contrast with prior years' compliance steps, now there is an additional step to file the 2019 returns. Employers will need to build in sufficient time to complete registration prior to the filing deadline.

Share Options - RSS1

The 2019 Form RSS1 requires the reporting of the grant, release, assignment and exercise of options awarded to directors and employees only. The Form RSS1 must be delivered in electronic format. No entry is required on Form RSS1 for awards which have been subject to PAYE through payroll (including restricted and forfeitable shares and the vesting of restricted stock units).

The procedure to file the Form RSS1 has changed. This is described in further detail below.

Key Employee Engagement Programme - KEEP1

KEEP options are tax favoured options granted to employees and directors of certain SMEs introduced on 1 January 2018.

The 2019 Form KEEP1, like the RSS1, is in electronic format and requires the reporting of the grant, release, assignment and exercise of KEEP options by relevant employees and directors.

Compliance with meeting the due date for filing Form KEEP1 is extremely important as failure to comply with this mandatory filing obligation will result in the company

not being regarded as a qualifying company for KEEP and the tax favoured treatment being lost for their employees.

The procedure to file the Form KEEP1 has changed. This is described in further detail below.

Change in procedure for the Filing of the Forms RSS1 and KEEP1

The electronic forms RSS1 and KEEP1 are in a spreadsheet format which must be uploaded via the Revenue Online System ("ROS"). Only registered ROS users may access and upload returns. However, employers must complete an additional step in order to file the 2019 returns when compared to prior years.

From now on, employers must now register via Revenue's Online Services (ROS) that they have a Share Scheme Reporting (SSR) requirement, similar to the process they would undertake if they were registering for a new tax head with Revenue. Tax agents can register their clients for SSR upon receipt of a signed agent link authorisation from their client. The agent link can be uploaded to ROS when the SSR registration application is being completed.

The registration takes up to three working days to be processed by Revenue. As such, employers need to ensure that they have allowed sufficient time to complete

the registration procedure, or that they give their tax agents sufficient time to register them for SSR, in advance of the 31 March deadline.

Employers are reminded that this is an additional step to file the 2019 returns when compared to prior years.

Other Share Reporting Requirements

A separate 31 March 2020 mandatory filing requirement also applies to the following Revenue approved share participation schemes:

- save as you earn options
- approved profit-sharing schemes
- employee share ownership trust transactions



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Produced by: KPMG's Creative Services. Publication Date: January 2020. (5841)