

Temporary Business Energy Support Scheme (TBESS)

November 2022

Introduction

Revenue recently issued guidelines on the operation of the TBESS. The scheme will provide cash payments to qualifying businesses that have experienced a significant increase in their electricity and natural gas costs.

The scheme is subject to State aid approval under the European Commission's Temporary Crisis Framework.

Revenue are in the process of developing their IT system to enable businesses to register for the TBESS and make a claim under the scheme. It is anticipated that the portal for registration and making a claim will be available on the Revenue Online Service (ROS) from the end of November 2022.

Key Points of the Scheme

- The scheme is open to businesses carrying on a trade or profession and to charities and sporting bodies carrying on a tax exempt trade or profession.
- It is intended that the scheme will operate in respect of electricity and natural gas costs relating to the period 1 September 2022 to 31 December 2022 or, where the end date of the Temporary Crisis Framework is extended, to 28 February 2023. Claims may be made in respect of each calendar month within this period. The first claim period for which a claim can be made is September 2022 and it is expected that businesses will be able to make claims on ROS by the end of November 2022.
- The scheme operates by reference to bills for the metered supply of electricity and natural gas through electricity accounts or gas connections identified by its own Meter Point Reference Number (MPRN) or Gas Point Reference Number (GPRN).
- To be eligible to make a claim under the TBESS in respect of an electricity bill or a natural gas bill, a business must be able to demonstrate that the average unit price for electricity or natural gas on the relevant bill has increased by 50% or more as compared to the average unit price of electricity or natural gas in a reference period. In broad terms, this is the average unit price in the month that is 12 months prior to the claim period to which the relevant bill relates. This 50% increase is known as the 'energy costs threshold'.
- Once the eligible business has passed the energy costs threshold in relation to a particular electricity or natural gas bill, and satisfies a number of other conditions, it is a 'qualifying business'.

- The eligible cost amount in relation to an electricity or natural gas bill is calculated as the increase between the bill amount on that electricity or natural gas bill as compared to a bill amount in the applicable reference period.
 - For these purposes, electricity costs relating to an electricity account (MPRN) and/ or gas costs relating to a gas connection (GPRN) in respect of each monthly claim period falling within 1 September 2022 and 31 December 2022 must be compared with the electricity or natural gas bill costs, as the case may be, for the reference period, which is a monthly period that is 12 months prior to the claim period concerned.
 - Where an electricity or natural gas bill covers only part of a claim period then it will be compared with a proportionate amount of the electricity or natural gas costs for the reference period in determining the eligible cost amount.
- Provision is made for businesses to assess their eligibility and, where appropriate, to make a claim in respect of an electricity or natural gas bill for a particular electricity account or gas connection for which the business does not have a bill for the reference period. This would be relevant where:
 - The business commenced after the end of the relevant reference period, or
 - The business had commenced before or during the reference period, and the relevant electricity account or gas connection was not held by the business during the reference period.
- The energy payment is subject to a monthly cap, which applies on a per trade basis or a per profession basis. In general, the support available in respect of electricity and natural gas costs is subject to a monthly cap of €10,000 per trade or profession. Where, however, a business carries on its trade or profession from more than one location, as identified by the business having multiple electricity accounts/ MPRNs in different locations, the cap may be increased by €10,000 per electricity account/ MPRN, subject to an overall monthly cap of €30,000 per trade.
- The person carrying on a qualifying business (which is the precedent partner in the case of a partnership) must register for the scheme on ROS, provide certain information and make a declaration that they satisfy the conditions to make a claim.
- To make a claim under the scheme, a number of other conditions must be satisfied including that the person (which is the precedent partner in the case of a partnership) is eligible for a tax clearance certificate and has complied with their tax registration, payment and tax return filing obligations.
- Provision is made for the publication of the names of claimants on the Revenue website.
- The scheme operates on a self-assessment basis

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