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Understanding The 24 Month Rule

'24 Month' Temporary Workplace Rule

The Temporary Workplace Rule, often referred to as the "24 Month Rule" is legislation issued by HMRC which governs how long you can be at any one temporary workplace and still claim travel and travel related expenses.

When does it apply?

If you are travelling from your home to your temporary place of work, you are entitled to claim travelling expenses subject to the 24 month rule (Subject to SDC if using an Umbrella Company or IR35 if operating through a Personal Service Company).

The rule states that the cost of travel and travel related expenses from your home (being your permanent place of work as per your employment contract) to your contracted site address (your temporary workplace) is only allowable as a tax deductible expense for as long as you believe your contract will not exceed 24 months.

To clarify, this is not *for* 24 months, but *expected to be* 24 months. For example, if you have already worked eighteen months and enter into another six month contract at the same site address, then the 24 month rule will apply from the beginning of the six month extension.

The reason that travel and travel related expenses cannot be claimed is that a workplace is not a temporary one if the employee attends that place for more than 24 months. The broad effect is that if an employee expects to work for a period exceeding 24 months, then it is treated as a permanent workplace from the outset.

When does the "24 month rule" not apply?

If less than 40% of your working time is spent at one site, a claim for expenses can be made regardless of the length of your engagement at that particular location.