TAX & CUSTOMS ADMINISTRATION
MALTA

SIXTH SCHEDULE
(Rule 11(3))

Notice in terms of Rule 11(3) of the Duty on Documents and Transfers Rules, 1993

Statement to be submitted by transferee in a transfer of company shares

PART 1 - DETAILS OF TRANSFEROR AND TRANSFEREE

TRANSFEROR

Name	Address	ROC No (companies only)	Income Tax Registration No

TRANSFEREE

Name	Address	ROC No (companies only)	Income Tax Registration No

PART 2 - DETAILS OF COMPANY IN WHICH SHARES ARE BEING TRANSFERRED

Company Name	
Income Tax Registration No	
Company year end	
Date of incorporation	
ROC No	
Authorised share capital	
Issued share capital	

State whether: (Yes or No)

a	The Company holds shares directly or indirectly in other companies. *(if Yes attach details)*	
b	The Company or any companies specified in (a) above own immovable property at the date of the share transfer. *(if Yes attach details)*	

See the Office's Data Protection Policy on mtca.gov.mt

PART 3 - DETAILS OF SHARE TRANSFER

a	Date of share transfer	
b	Number of shares transferred	
c	Consideration for shares transferred	

Give details of the shares transferred:

Type	Class	Votes per share	Nominal Value per share	Number

PART 4 - COMPUTATION OF THE REAL VALUE OF THE SHARES TRANSFERRED

The real value of the shares being transferred is to be determined as follows:

REAL VALUE OF SHARES TRANSFERRED

Sec I : Determination of the % of the real value of the company as represented by such shares

'A' is the percentage of the issued share capital represented by the nominal value of those shares.	
'B' is the percentage of the total voting rights in the company represented by the total voting rights attached to those shares.	
'C' is the percentage of the profits available for distribution to the ordinary shareholders represented by the profits available for distribution to the holder of those shares.	
'Y' represents the percentage to be determined. $Y=(0.4 \times A) + (0.2 \times B) + (0.4 \times C)$	

Sec II : Computation of real value of company in accordance with rule 5(6) and (7) of the Capital Gains Rules, 1993;

a	Total Net Asset Value of the company:		
b	Real Value of shares held in another company representing at least 10% of the nominal value of the issued share capital of that other company, determined in accordance with rule 5 of the Capital Gains Rules, 1993:		

Company	Income Tax no.	Real Value

	Deduct book value of shares held in the company (as stated in the financial statements)		
c	Total real value of immovable property as stated in the Architect's Valuation (as per Part 6)		
	less Total book value of immovable property		
	Adjustment to the value of immovable property:		
d	Value of goodwill: (as calculated in Sec IV below)		
e	Deduct the book value of shares referred to in rule 5(6)(d) of the Capital Gains Rules, 1993:		
f	Add Liabilities in excess of the value of all assets as determined in accordance with article 42(2)(c) of the Act:		
g	Total Adjusted real value of the Company		

Sec III : Real value of shares transferred:

a	**Adjusted real value of the company** (Sec IIg)	
b	**Percentage of real value as represented by shares transferred** (higher of C/A, D/B in Sec I)	
c	**Real value of shares transferred** (a X b)	
d	**Amount or value of the consideration for the shares transferred**	
e	**Amount chargeable to duty** (Higher of c and d)	
f	**Rate of duty** (€ 5 or € 2 for every one hundred euro or part thereof)	
g	**Amount of duty due** (e X f)	

Sec IV : Calculation of the Amount Representing the Value of Goodwill:

a **Where company was in existence for the five financial years immediately preceding the year in which the transfer is made:**

Year ended

Profit before tax

Year 1	Year 2	Year 3	Year 4	Year 5	Total
Value of goodwill:					

Note: Where the transfer is made during the company's first or second financial year the value of goodwill above shall be zero.

b **Where the company has acquired its business or part thereof from another person during the company's first three financial years:**

State date when business was acquired:

State consideration paid for the acquisition of the goodwill of such business:

Profits of the company excluding profits attributable to business acquired;

Year ended

Profit before tax

Year 1	Year 2	Year 3	Total

Value of goodwill:

Profits attributable to business acquired from another person;

Year ended

Profit before tax

Year 1	Year 2	Year 3	Year 4	Year 5	Total

Value of goodwill attributable to business acquired	**A**	
Consideration paid for the acquisition of such goodwill	**B**	
Value of the goodwill of the business so acquired (higher of A and B)		
Total amount representing the value of goodwill:		

Note: Where the assets of the company include shares in another company, and such shares represent at least ten percent of the nominal value of the issued share capital of the other company, the computations in Part 4 must be made for each such shareholding.

PART 5 - ARCHITECT'S VALUATION

If the company owns immovable property at the date of the share transfer, attach an architect's valuation of the real value of the immovable property taken into account in determining the value of the said shares.

PART 6 – DECLARATION

I do hereby declare that the information submitted through this form is true and complete:

Transferee's signature:

Transferee's name:

This Schedule shall be accompanied by an auditor's signed report which shall form an integral part of the schedule, giving assurance as to whether the computation of the real value of the shares being transferred has been properly prepared in accordance with the Duty on Documents and Transfers Rules.

AMMINISTRAZZJONI TAT-TAXXA U D-DWANA MALTA

IS-SITT SKEDA
(Regola 11(3))

Avviż skond ir-Regola 11(3) tar-Regoli dwar it-Taxxa fuq Dokumenti u Trasferimenti,1993

Dikjarazzjoni li għandha ssir minn persuna li lilha isir trasferiment ta' azzjonijiet f'kumpannija

TAQSIMA 1 - DETTALJI DWAR MIN QED JITTRASFERIXXI

IL-PERSUNA LI QEGĦDA TAGĦMEL IT-TRASFERIMENT:

Isem	Indirizz	Nru ta' l-ROC (għal kumpanniji biss)	Nru. ta' referenza tat-taxxa:

IL-PERSUNA LI LILHA QED ISIR IT-TRASFERIMENT:

Isem	Indirizz	Nru ta' l-ROC (għal kumpanniji biss)	Nru. ta' referenza tat-taxxa:

TAQSIMA 2 - DETTALJI DWAR IL-KUMPANNIJA LI L-AZZJONIJIET TAGĦHA QED JIĠU TRASFERITI

Isem il-kumpannija	
Nru. ta' referenza tat-taxxa	
Meta tagħlaq is-sena finanzjarja	
Data ta' l-inkorporazzjoni	
Numru ta' l-ROC	
Kapital azzjonarju awtorizzat	
Kapital azzjonarju maħruġ	

Niżżel "Iva" jew "Le"

a	Il-kumpannija għandha sehem dirett jew indirett f'kumpanniji oħra. *(jekk 'Iva' ehmeż aktar dettalji)*	
b	Il-kumpannija jew dawk il-kumpanniji msemmija f'partita (a) għandhom proprjetà immobbli fid-data tat-trasferiment ta' l-azzjonijiet. *(jekk 'Iva' ehmeż aktar dettalji)*	

Għall-politika tal-Uffiċċju dwar il-Privatezza tad-Data żur mtca.gov.mt

TAQSIMA 3 - DETTALJI TAT-TRASFERIMENT TA' L-AZZJONIJIET

a	Data tat-trasferiment ta' l-azzjonijiet	
b	Ammont ta' azzjonijiet trasferiti	
c	Korrispettiv imħallas għall-azzjonijiet trasferiti	

Agħti d-dettalji ta' l-azzjonijiet trasferiti:

Tip	Klassi	Voti għal kull azzjoni	Valuri nominali għal kull azzjoni	Ammont

TAQSIMA 4 - KOMPUTAZZJONI TAL-VALUR REALI TA' L-AZZJONIJIET TRASFERITI.

Il-valur reali ta' l-azzjonijiet li qed jiġu trasferiti għandu jiġi stabbilit kif ġej:

VALUR REALI TA' L-AZZJONIJIET TRASFERITI

Sezzjoni I : Determinazzjoni tal-perċentwal tal-valur reali tal-kumpannija rappreżentat b'dawn l-azzjonijiet

'A' huwa l-perċentwali ta' kapital azzjonarju maħruġ rappreżentat mill-valur nominali ta' dawk l-azzjonijiet.	
'B' huwa l-perċentwali tat-total tal-jeddijiet tal-vot fil-kumpannija rappreżentata mit-total tal-jeddijiet ta' vot marbutin mal-ishma.	
'Ċ' huwa l-perċentwali tal-profitti disponibbli għat-tqassim lill-azzjonisti ordinarji rappreżentati mill-profitti disponibbli lil kull propjetarju ta' dawk l-ishma.	
'Y' tirrappreżenta l-perċentwali li għandha tiġi stabbilita. Y=(0.4 x A) + (0.2 x B) + (0.4 x C)	

Sezzjoni II : Komputazzjoni tal-valur reali tal-kumpannija skond regola 5(6) u (7) tar-Regoli dwar Qligħ Kapitali, 1993.

a	It-total tal-valur nett ta' l-attiv tal-kumpannija:		
b	Il-valur reali tas-sehem f'kumpannija oħra li jirrappreżenta mill-anqas 10% tal-valur nominali tal-kapital azzjonarju maħruġ ta' dik il-kumpannija l-oħra, stabbilit skond ir-regola 5 tar-Regoli dwar Qligħ Kapitali, 1993.		

Kumpannija	Nru tat-Taxxa	Valur Reali

	Naqqas il-valur skont il-kotba tas-sehem fil-kumpannija (kif imniżżel fil-kontijiet finanzjarji)		
c	It-total tal-valur reali tal-proprjetà immobbli kif stabbilit fil-Valutazzjoni ta' perit arkitett (skond Taqsima 6) Naqqas it-total tal-valur skond il-kotba tal-proprjetà immobbli		
	Aġġustament fil-valur tal-proprjetà immobbli:		
d	Il-valur ta' l-avvjament: (kif ikkalkolat f'sezzjoni IV aktar 'l isfel)		
e	Naqqas il valur skont il-kotba tal-azzjonijiet msemmija fir-regola 5(6)(d) tar-Regoli dwar Qligħ Kapitali, 1993.		
f	Żid id-dejn li jkun jeċċedi l-valur ta' l-assi kollha stabbilit skond l-artikolu 42(2)(c) tal-Att.		
g	It-total tal-valur reali tal-kumpannija kif aġġustat:		

Sezzjoni III : Il-valur reali ta' l-azzjonijiet trasferiti:

a	**Il-valur reali tal-kumpannija kif aġġustat** (Sezzjoni IIġ)	
b	**Perċentwal tal-valur reali rappreżentat mill-azzjonijiet trasferiti** (Y f'sezzjoni I)	
c	**Il-valur reali ta' l-azzjonijiet trasferiti** (a X b)	
d	**L-ammont jew valur tal-korrispettiv ta' l-azzjonijiet trasferiti**	
e	**L-ammont taxxabbli** (l-ogħla minn ċ u d)	
f	**Rata ta' taxxa** (€ 5 jew € 2 għal kull mitt ewro jew parti minnhom)	
g	**L-ammont ta' taxxa dovuta** (e X f)	

Sezzjoni IV : Kalkolu ta' l-ammont li jirrappreżenta l-valur ta' l-avvjament:

a Meta l-kumpannija tkun ilha teżisti għal ħames snin finanzjarji minnufih qabel is-sena li fiha jsir it-trasferiment:

Is-sena tagħlaq

Profitt qabel it-taxxa

Sena 1	Sena 2	Sena 3	Sena 4	Sena 5	Total
Valur ta' l-avvjament					

Nota: Meta t-trasferiment isir matul l-ewwel jew it-tieni sena finanzjarja tal-kumpannija ebda valur ma għandu jingħata lill-avvjament.

b Meta l-kumpannija tkun akkwistat in-negozju tagħha jew parti minnu mingħand persuna oħra matul l-ewwel tliet snin finanzjarji tal-kumpannija:

Niżżel id-data meta n-negozju ġie akkwistat:

Niżżel il-korrispettiv imħallas għall-akkwist ta' l-avvjament ta' dan in-negozju:

Profitti tal-kumpannija minbarra l-profitti attribwibbli għan-negozju akkwistat:

Is-sena tagħlaq

Profitt qabel it-taxxa

Sena 1	Sena 2	Sena 3	Total
Valur ta' l-avvjament			

Profitti attribwibbli għan-negozju akkwistat minn persuna oħra:

Is-sena tagħlaq

Profitt qabel it-taxxa

Sena 1	Sena 2	Sena 3	Sena 4	Sena 5	Total

Valur ta' l-avvjament attribwibbli għan-negozju akkwistat	**A**	
Korrispettiv imħallas għall-akkwist ta' dan l-avvjament	**B**	
Valur ta' l-avvjament tan-negozju akkwistat (l-ogħla minn A jew B)		
L-ammont totali li jirrappreżenta l-valur ta' l-avvjament:		

Nota: Meta l-attiv tal-kumpannija jinkludi azzjonijiet f'kumpannija oħra, u dawn l-azzjonijiet ikunu jirrappreżentaw mill-anqas għaxra fil-mija tal-valur nominali tal-kapital azzjonarju maħruġ ta' dik il-kumpannija l-oħra, il-komputazzjoni f'Taqsima 4 għandha ssir għal kull sehem.

TAQSIMA 5 - VALUTAZZJONI TA' PERIT ARKITETT

Jekk il-kumpannija kellha proprjetà immobbli fid-data tat-trasferiment, ehmeż valutazzjoni minn perit arkitett tal-valur reali tal-propjetà immobbli li għandu jittieħed biex jiġi stabbilit il-valur ta' l-azzjonijiet.

TAQSIMA 6 – DIKJARAZZJONI

Jien b'dan niddikjara li l-informazzjoni mogħtija f'din il-formola hija vera u sħiħa:

Persuna li lilha qed isir it-trasferiment:

(firma) ______________________ **(isem)** ______________________

Ma' din l-Iskeda għandu jkun hemm rapport iffirmat minn awditur u dan ir-rapport jifforma parti integrali mill-Iskeda u għandu jagħti assigurazzjoni dwar jekk il-komputazzjoni tal-valur reali ta' l-azzjonijiet li qed jiġu trasferiti ġietx magħmula kif suppost skond id-dispożizzjonijiet tar-Regoli dwar it-Taxxa fuq Dokumenti u Trasferimenti."