L.N. 130 of 1999

INCOME TAX MANAGEMENT ACT, 1994
(ACT NO. XVIII OF 1994)

Income Tax (Form of Returns for Companies, Entities and Bodies of Persons) (Amendment) Rules, 1999

IN virtue of the powers conferred by section 57 of the Income Tax Management Act, 1994, the Minister of Finance has made the following rules:–

Citation and Commencement.

L.N. 2 of 1995.

1. (1) These rules may be cited as the Income Tax (Form of Returns for Companies, Entities and Bodies of Persons) (Amendment) Rules, 1999 and shall be read and construed as one with the Income Tax (Form of Returns for Companies, Entities and Bodies of Persons) Rules, 1995, hereinafter referred to as "the principal rules".

(2) These rules shall come into force upon their publication in the Gazette in respect of the year of assessment commencing on the 1st January, 1999 and of subsequent years of assessment.

Substitues Forms T.A. 36 and T.A. 37 of the principal rules.

2. For Forms T.A. 36 in the Second Schedule and T.A. 37 in the Third Schedule to the principal rules, there shall be substituted the forms in the Second and Third Schedules hereto.

(Rule 2)

SCHEDULES
SECOND SCHEDULE

TR
TA36

Inland Revenue - Malta

Income Tax Return and Self Assessment

on behalf of an Entity (Section 30)

for the Year ended 31st December 1998 (Year of Assessment 1999)

Complete only if printed information is missing or incorrect

Ref No.

Vat No.

Name

House No./Name

Street

Locality

Postcode

Country

1. You are hereby required to give on this form a true and correct declaration of your income and capital gains of the above named Entity and include a self assessment for the basis year ended 31st December 1998. This form is to be completed and forwarded so as to reach the Inland Revenue Department by 31st August 1999.
2. All income and capital gains of a resident Entity accruing in, or derived from Malta or elsewhere, whether received in Malta or not, during the year ended 31st December 1998 must be included.
3. All income and capital gains of a non-resident Entity accruing in, or derived from Malta, whether received in Malta or not, during the year ended 31st December 1998 must be included.
4. The declared income and capital gains should include the income accruing to or derived by an associated, linked or allied institution, trust, foundation, bequest or similar organisation or body of persons.
5. In case of an Ecclesiastical Community, the declared income and capital gains should include so much of the personal income and capital gains of its individual members as is also liable to be charged in the hands of the community under section 30.
6. Full details should be given of the income and capital gains declared and of the deductions made. Copy of Audited Accounts must be included.
7. The form, duly filled in and signed by you together with all supporting documents, and any payment of outstanding tax for the basis year 1998 will be considered as the return and self assessment which you are required to submit in terms of the Income Tax Acts.

Commissioner of Inland Revenue

Entity Details

a) Type of Entity: Religious Order ☐ Parish ☐ Other ☐ (tick appropriate box)

b) Contact person responsible for this return:
Name (Block Letters)
Office Address
Telephone Fax

c) If declared income and capital gains include the income accruing to or derived by an associated, linked or allied institution, trust, foundation, bequest or similar organisation or body of persons, state names of such institutions, etc:

(i) (ii) (iii) (iv) (v) (vi)

d) Number of individual members of the ecclesiastical community in respect of whom further deduction is being made in the self assessment. Attach a list showing the names and ID numbers of those individuals who were members of the said community on the 31st December 1998.

Declaration

I, (full name) _____ do hereby declare that:

a) this income tax return and self assessment is made on behalf of _____

b) this return contains a full, true and correct description of the said Entity's income, capital gains and allowable deductions for 1998.

Signature _____ Designation _____ Date _____

This income tax return and self assessment is to reach the Inland Revenue Department by 31 August, 1999.

B 1068

Inland Revenue - Malta

Tax Computation

Please fill in both bases

Income Basis 1		Lm	Income Basis 2		Lm
(1) Trade or Business (Losses may not be set off against income from other sources or carried forward to subsequent years)	1				
(2) Income of individual members (not to exceed Lm1000 per member, provided member is individually registered for income tax purposes)	2		(2a) Income of individual members (not to exceed Lm1000 per member, provided member is individually registered for income tax purposes)	2a	
(3) Local dividends	3		(3a) Local dividends	3a	
(4) Local interests	4		(4a) Local interests	4a	
(5) Foreign dividends	5		(5a) Foreign dividends	5a	
(6) Foreign interests	6		(6a) Foreign interests	6a	
(7) Rents, royalties, premiums	7		(7a) Rents, royalties, premiums	7a	
(8) Income of allied institution/s	8		(8a) Income of allied institution/s	8a	
(9) Capital Gains	9				
(10) Other income not included elsewhere in this return	10				
(11) **Total Income**	11		(11a) **Total Income**	11a	

Allowable deductions			Allowable deductions		
(12) Expenditure (incurred in the production of the income declared in line 1 above)	12				
(13) Lm1000 x (No. of members)	13		(13a) Lm1000 x (No. of members)	13a	
(14) Burdens	14		(14a) Burdens	14a	
(15) Ground rents	15		(15a) Ground rents	15a	
(16) 20% further rent deductions	16				
(17) Other	17				
(18) **Total Allowable Deductions**	18		(18a) **Total Allowable Deductions**	18a	
(19) **Total Chargeable Income** (Deduct amount in box 18 from amount in box 11)	19		(19a) **Total Chargeable Income** (Deduct amount in box 18a from amount in box 11a)	19a	

(20) Copy the higher amount of box 19 and box 19a	20	
(21) **Tax on chargeable income (box 20 x 0.20)**	21	

Tax Credits

(22) Provisional Tax Payments for 1998		22	
(23) Tax paid on Capital Gains		23	
(24) Tax at source on Local Dividends	(where income is included at box 3 and 3a)	24	
(25) Tax withheld on Local Interests	(where income is included at box 4 and 4a)	25	
(26) Relief from Double Taxation		26	
(27) Other Tax Credits		27	
(28) **Total Tax Credits**		28	

Tax Underpaid or Overpaid

(29) **Tax Underpaid** If box 21 is higher than box 28 enter the difference in box 29	29	
(30) **Tax Overpaid** If box 28 is higher than box 21 enter the difference in box 30	30	

Amount in box 29 is to be paid by not later than 31st August 1999, failing which interest at 1% per month will be charged.
Please attach cheque with Remittance Advice and any other documents to this return.

THIRD SCHEDULE

TR
TA37

Inland Revenue - Malta

Income Tax Return and Self Assessment

on behalf of a body of persons

for the Year ended 31st December 1998 (Year of Assessment 1999)

Complete only if printed information is missing or incorrect

Ref No.

Vat No.

Name

House No./Name

Street

Locality

Postcode

Country

1. You are hereby required to give on this form a true and correct declaration of your income and capital gains of the above named body of persons and include a self assessment for the basis year ended 31st December 1998. This form is to be completed and forwarded so as to reach the Inland Revenue Department by 31st August 1999.
2. This form is not applicable to an entity [section 30 of the Income Tax Act (Cap. 123)] or a company, a body corporate established by statute or a commercial undertaking operated by an Entity.
3. All income and capital gains of a resident body of persons accruing in or derived from Malta or elsewhere, whether received in Malta or not, during the year ended 31st December 1998 must be included.
4. All income of a non-resident body of persons accruing in or derived from Malta, whether received in Malta or not, during the year ended 31st December 1998 must be included.
5. Full details should be given of the income and capital gains declared and of the deductions made. A copy of the financial statements is to be included.
6. The form, duly filled in and signed by you together with all supporting documents, and any tax underpaid for the basis year 1998 will be considered as the return and self assessment which you are required to submit in terms of the Income Tax Acts.

Commissioner of Inland Revenue

Organisation Details

a) Type of body of persons: Club ☐ Other ☐ (tick appropriate box)

b) Contact person responsible for this return and address where control, management and administration is exercised:
Name (Block Letters)
Office Address
Telephone Fax

c) Main business activity of this body of persons

d) In the case of a body of persons carrying on a club or similar institution, state:
(i) Number of paid-up members
(ii) Number of members who have voting rights at general meetings
(iii) Whether 50% or more of gross receipts on revenue account are received from members. Yes ☐ No ☐

Declaration

I, (full name) _____ do hereby declare that:

a) this income tax return and self assessment is made on behalf of _____

b) this return contains a full, true and correct description of the said body of persons' income, capital gains and allowable deductions for 1998.

Signature of person making the return _____ Designation _____ Date _____

This income tax return and self assessment is to reach the Inland Revenue Department by 31 August, 1999.

Inland Revenue - Malta

Tax Computation

1. *If receipt from members are 50% or more of gross receipts on revenue account, fill in basis A only. In all other cases, fill A and B.*
2. *In the case of bodies of persons which are exempt from tax by law or by Exemption Order issued by the Minister of Finance boxes 1 to 18 need not be filled in. Enter "0" in box 19 and fill in boxes 20 to 28, where applicable.*

Income Basis A		Lm
(2) Local dividends	2	
(3) Local interests	3	
(4) Foreign dividends	4	
(5) Foreign interests	5	
(6) Rents, royalties, premiums	6	
(7) Other investment income	7	
(8) Capital Gains	8	
(10) **Total Income**	10	

Income Basis B		Lm
(1a) **Business** (including entrance fees subscriptions etc.)	1a	
(2a) Local dividends	2a	
(3a) Local interests	3a	
(4a) Foreign dividends	4a	
(5a) Foreign interests	5a	
(6a) Rents, royalties, premiums	6a	
(7a) Other investment income	7a	
(8a) Capital Gains	8a	
(9a) Other income not included elsewhere in this return	9a	
(10a) **Total Income**	10a	

Allowable deductions		
(12) Rental Deduction: Ground Rents	12	
(13) 20% further rent deductions	13	
(14) Interest on Capital used in acquiring investment income	14	
(15) Other allowable deductions against investment income	15	
(16) **Total Allowable Deductions**	16	
(17) **Total Chargeable income** (Deduct amount in box 16 from amount in box 10)	17	

Allowable deductions		
(11a) Deductions (incurred in the production of the Business income declared in line 1 above)	11a	
(12a) Rental Deduction: Ground Rents	12a	
(13a) 20% further rent deductions	13a	
(14a) Interest on Capital used in acquiring investment income	14a	
(15a) Other allowable deductions not included elsewhere in this return	15a	
(16a) **Total Allowable Deductions**	16a	
(17a) **Total Chargeable income** (Deduct amount in box 16a from amount in box 10a)	17a	

(18) Copy the higher amount of box 17 and box 17a		18
(19) **Tax on chargeable Income as per section 56(1)(d)** - maximum 30%		19

Tax Credits

(20) Provisional Tax Payments for 1998		20
(21) Tax paid on Capital Gains		21
(22) Tax at source on Local Dividends	(may not be claimed by an exempt body of persons)	22
(23) Tax withheld on Local Interests	(where income is included at box 3 and 3a)	23
(24) Relief from Double Taxation		24
(25) Other Tax Credits		25
(26) **Total Tax Credits**		26

Tax Underpaid or Overpaid

(27) **Tax Underpaid** If box 19 is higher than box 26 enter the difference in box 27		27
(28) **Tax Overpaid** If box 26 is higher than box 19 enter the difference in box 28		28

Amount in box 27 is to be paid by not later than 31st August 1999, failing which interest at 1% per month will be charged.
Please attach cheque with Remittance Advice and any other documents to this return.

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