L.N. 164 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) (No. 2) 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) (No. 2) 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 Form T.A. 5 of the principal rules.

2. For Form T.A. 5 in the First Schedule to the principal rules, there shall be substituted the form in the First Schedule hereto.

SCHEDULES

(Rule 2)

FIRST SCHEDULE

TR
TA5

Revenue - Malta

Income Tax Return

on behalf of a partnership, other than "en commandite" or "anonyme", whether resident in Malta or not, **for the 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 return a true and correct declaration of the income and capital gains of the Partnership for the year ending 31st December, 1998. This return is to be completed and forwarded so as to reach the Department of Inland Revenue by not later than 31st August, 1999
2. All income and capital gains of a resident partnership accruing in, or derived from Malta or elsewhere, whether received in Malta or not, during the year ending 31st December, 1998 must be included.
3. All income and capital gains of a non-resident Partnership accruing in, or derived from Malta, whether received in Malta or not, during the year ending 31st December, 1998 must be included below.
4. No section of this return is to be left blank. Where there is nothing to report, write "NIL" in the appropriate space.
5. You should send with this return a copy of the Profit and Loss Account and Balance Sheet.
6. This return must be completed by the precedent partner or the Partnership. The precedent partner is the partner who, of the partners resident in Malta:

   (i) is the first named in the agreement of the partnership; or
   (ii) is the precedent acting partner [if the partner named with precedence is not an acting partner].
   Where no partner is resident in Malta the return must be completed by the attorney, agent, manager or factor of the firm resident in Malta
7. This form, duly filled in and signed, together with all supporting documents will be considered as the return which is required to be submitted in terms of the Income Tax Acts.

Commissioner of Inland Revenue

Declaration

I, (full name) _____ hereby declare that this form contains a true and correct return of the required particulars of the income and capital gains of the partnership _____ constituted by agreement of the _____ (insert date) for the year of assessment 1999.

The control, management and administration of the business of the said partnership are exercised in _____ (state full address).

The main trading activity of this partnership consists of _____

Signature of person making the return _____

Designation _____

Postal Address _____

Date _____

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

Inland Revenue - Malta

Partnership's Income and Capital Gains

		Lm
(1) Gains or profits from trade, business, profession or vocation	1	
(2) Other Income	2	
(3) Capital Gains	3	
(4) **Total Income and Capital Gains** (add boxes 1 to 3)	4	

Deductible expenses not included elsewhere in this return

(5) Interest on Capital used in acquiring the income — 5

Creditor	Amount Borrowed	Rate of Interest	Guarantee	Purpose

(6) Other Deductions	6	
(7) **Total Deductions** (add boxes 5 and 6)	7	
(8) **Net Income and Capital Gains** (Deduct box 7 from box 4)	8	

Division of the Income and Capital Gains among the Partners

Names and Income Tax Nos. of Partners	Permanent place of private residence of partners	Particulars of Distribution of Profits			Basis of Distribution of Balance (Fractional Share or other Basis)
		Salary Lm	Interest on Capital Lm	Share of Balance Lm	