L.N. 310 of 2007

DUTY ON DOCUMENTS AND TRANSFERS ACT (CAP. 364)

Duty on Transfer of Sole Ordinary Residence and on Declarations *Causa Mortis* (Duty on Documents and Transfers) Exemption Order, 2007

BY VIRTUE of the powers invested in him by article 23 of the Duty on Documents and Transfers Act, the Prime Minister and Minister of Finance has ordered that as from the 16th October, 2007 in respect of transfers *inter vivos*, and on every declaration made in accordance with article 33 in respect of persons from whom the transfer *causa mortis* originates who died on or after the 16th October, 2007, the duty otherwise chargeable in terms of the said Act, shall be reduced and levied as follows:-

(a) in terms of the provisions of paragraph (a) of sub-article (4) of article 32 thereof, in such manner as for the words "in respect of the first thirty thousand liri or such greater amount as may be prescribed," there shall be substituted the words " in respect of the first fifty thousand liri or such greater amount as may be prescribed,";

(b) in terms of the provisions of sub-paragraph (i) of paragraph (b) of sub-article (4) of article 32 thereof, in such manner as for the words "do not exceed thirty thousand liri " there shall be substituted the words "do not exceed fifty thousand liri";

(c) in terms of the provisions of sub-paragraph (ii) of paragraph (b) of sub-article (4) and in paragraph (c) of sub-article (4) of article 32 thereof, in such manner as for the words "thirty thousand liri", there shall be substituted the words "fifty thousand liri ";

(d) in terms of sub-article (3) of article 40 thereof, in such manner as for the words "the duty chargeable under this Act on the first one thousand and five hundred liri or such greater amount as may be prescribed of the yearly ground-rent" there shall be substituted the words "the duty chargeable under this Act on the first two thousand and five hundred liri or such greater amount as may be prescribed of the yearly ground-rent"; and

(e) in terms of the provisions of article 35 thereof, immediately after sub- paragraph (ii) of sub-article (2) thereof, there shall be inserted the new sub- paragraph:-

"(iii) where such property consists of a dwelling house, being the ordinary residence of the person from whom the transfer originates, and the beneficiary of such residence is the surviving spouse, no duty shall be levied at the time of the transfer, provided that if such residence is transferred by the surviving spouse during the lifetime of such surviving spouse, the duty which would have been payable on the death of the predeceased spouse shall be levied at the time of the transfer by the surviving spouse.".

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