

I assent.

(L.S.)

ČENSU TABONE
President

27th July, 1990

ACT No. XXVII of 1990

AN ACT to amend the Duty on Documents Act, 1981.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the Duty on Documents (Amendment) Act, 1990, and shall be read and construed as one with the Duty on Documents Act, 1981, hereinafter referred to as “the principal Act”.

Short title and
commencement.
Act XXXI
of 1981.

(2) This Act shall come into force on the 1st August, 1990.

2. Immediately at the end of subsection (1) of section 38 of the principal Act, there shall be inserted the following provisos:

Amendment of
section 38 of the
principal Act.

“Provided that where the transfer requires a permit by the Minister under the Immovable Property (Acquisition by Non-Residents) Act, 1974 the duty chargeable in virtue of this subsection shall be increased by ten per centum of the amount or value of the consideration for the transfer of the immovable property or of the value of the immovable property, whichever is the higher. For the purposes of this proviso “immovable property” has the same meaning assigned to it by section 2 of the said Immovable Property (Acquisition by Non-Residents) Act, 1974.

Act XXXVII
of 1974.

Provided further that the duty as aforesaid shall not be so increased where the immovable property falls under paragraph (a) of the proviso to subsection (1) of section 5 of the Immovable Property (Acquisition by Non-Residents) Act, 1974, and this fact results from the permit issued by the Minister in terms of the said Act.”.

Amendment of
section 54 of the
principal Act.

3. In subsection (1) of section 54 of the principal Act, for the words:

“There shall be charged on every appraisalment or valuation a duty of twenty cents for every one hundred pounds or part thereof of the amount of the appraisalment or valuation:”,

there shall be substituted the following:

“There shall be charged on every appraisalment or valuation a duty of:

(i) 10c per Lm100 or part thereof on the first Lm20,000;

(ii) 5c per Lm100 or part thereof on the next Lm20,000;
and

(iii) 2c per Lm100 or part thereof on the remainder of the amount of the appraisalment or valuation, up to a maximum duty of Lm50 on each valuation:”.

Transitory
provision.

4. The amendment effected by section 2 of this Act shall not effect any transfer, where the application for the issue of the permit in terms of the Immovable Property (Acquisition by Non-Residents) Act, 1974, was filed with the Ministry of Finance not later than the 5th August, 1990 together with a copy of the written agreement concluded before the 1st August, 1990 of the promise to transfer the property in question and this is evinced by a certificate issued by the Minister responsible for finance, which certificate shall be attached to the deed of transfer.

Passed by the House of Representatives at Sitting No. 416 of the 25th July, 1990.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives