

L.N. 20 of 1982

DUTY ON DOCUMENTS ACT, 1981
(ACT NO. XXXI OF 1981)

Duty on Cheque Forms Regulations, 1982

IN exercise of the powers conferred by section 22 of the Duty on Documents Act, 1981, the Minister of Finance has made the following regulations:—

Citation.

1. These regulations may be cited as the Duty on Cheque Forms Regulations, 1982.

Payment of duty to be denoted by means of an impressed stamp.

2. (1) Payment of duty on cheque forms supplied or issued by any person carrying out the business of banking in Malta shall be denoted by means of an impressed stamp on the cheque form.

(2) The impression shall be made at the Office of the Commissioner.

Duty denoted by means of printed medallion stamp.

3. (1) Notwithstanding the provisions of regulation 2 of these regulations the Commissioner may authorise that the payment of duty on cheque forms be denoted through the printing thereon of the words and figures "Duty Paid 2c". The said words and figures shall be shown in a medallion stamp printed at the topright hand corner of each cheque form, which medallion stamp shall be as hereunder reproduced, but of a diameter of not less than 1 cm and not more than 1.5 cm:



(2) No authorisation shall be deemed to have been granted for the purposes of these regulations unless it is issued in writing over the signature of the Commissioner.

(3) The Commissioner in his absolute discretion may, at any time, and without incurring any liability, withdraw any authorisation granted under the provisions of these regulations.

(4) An authorisation issued under these regulations shall only be valid for a period of twelve months from the date of issue.

Written application for authorisation.

4. (1) Any person (hereinafter referred to as "the applicant"), who desires to obtain an authorisation from the Commissioner for the purposes of regulation 3 hereof, shall file a written application therefor with the Commissioner.

(2) Such application shall contain the information and give the undertakings required under these regulations.

Powers of the Commissioner.

5. (1) In granting any authorisation for the purposes of regulation 3 of these regulations, the Commissioner may require the applicant and/or the person (hereinafter referred to as "the printer") entrusted by

the applicant with the printing of the cheque forms on his behalf to make such arrangements and give such security as appear to the Commissioner desirable in each particular case.

(2) The Commissioner shall be entitled to exercise such control as he considers necessary in regards to the printing of the cheque forms, the payment of the duty, the denoting of payment on cheque forms, and all other matters relevant or ancillary to these regulations and their implementation.

6. (1) Every application filed with the Commissioner for the purposes of these regulations shall include: Application.

- (a) the name and address of the printer;
- (b) details regarding the cheque forms to be printed and their serial numbers.

(2) Every application shall be accompanied by a written declaration signed by the printer who shall undertake:

- (a) not to accept or execute any order connected with the application unless he is furnished with a certificate issued by the Commissioner indicating that the relative duty has been paid; and
- (b) to ascertain that the quantity of cheque forms printed by him shall not exceed the number on which duty has been paid, as evidenced by the said certificate; and
- (c) to furnish the Commissioner, on the delivery to the applicant of the printed cheque forms, with a certificate countersigned by the applicant and showing the serial numbers of the cheque forms printed and the date on which the said forms were delivered.

7. (1) Any person who seeks to act as printer of cheque forms denoting that duty has been paid as provided in regulation 3 of these regulations shall first obtain the approval of the Commissioner. Printers.

(2) The Commissioner, in his absolute discretion, and without incurring any liability, shall be entitled to refuse to grant approval as aforesaid to any person or to withdraw at any time an approval so given by him.

8. (1) Cheque forms on which duty has been paid and such payment has been denoted by means of a printed medallion stamp as authorised in virtue of regulation 3 of these regulations, shall be printed with an appropriate serial number on each such form together with the name of the bank issuing the cheque form. Information to be indicated on cheque forms.

(2) The cheque forms referred to in paragraph (1) of these regulations shall also have printed thereon the name of the printers.

9. (1) Any person who, in relation to any cheque forms on which at the time of printing there shall be denoted that duty has been paid: Penalty.

(a) prints or causes such forms to be so printed in the absence of authorisation given by the Commissioner for the purposes of these regulations; or

(b) acts as printer of such forms without, at the time of printing, being approved by the Commissioner for the purposes of these regulations; or

(c) prints or causes to be printed a quantity of such forms in excess of that which the Commissioner shall have authorised to be printed; or

(d) prints or causes to be printed a quantity of such forms in excess of that in respect of which duty has been paid beforehand at the Office of the Commissioner; or

(e) fails to provide the Commissioner with the certificate referred to in sub-paragraph (c) of paragraph (2) of regulation 6 hereof; or

(f) fails to abide with any requirement of the Commissioner issued pursuant to these regulations; or

(g) prevents or obstructs the Commissioner from exercising such control as he may deem necessary for the purposes of these regulations,

shall be liable to a penalty not exceeding £1000.

Revokes
GN 282 of 1921
and LN 62
of 1975.

10. Government Notice No. 282 of the 7th October, 1921 regulating the stamping of cheques and the Payment of Stamp Duty on Cheque Forms Regulations, 1975, are hereby revoked.