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Schedule C

(Rule 5(10))

Notice in terms of Rule 5(10) of the Capital Gains Rules, 1993

Statement to be submitted by a transferor of shares where there is a transfer of controlling interest

Part 1 - Details of Transferor

Name	
Address	
ROC No (companies only)	
Income Tax Registration No:	

State the number of shares held by transferor immediately prior to the transfer:

Type	Class	Votes per share	Nom Value per share	Number	Date of acquisition

Part 2 - Details of Company in which shares are being transferred

Company Name	
Income Tax Registration No	
Company year end	
Date of incorporation	
ROC No	
Authorised share capital	
Issued share capital	

State whether: (Yes or No)

- a
The Company holds shares directly or indirectly in other companies.
(if Yes attach details)
- b
The Company or any companies specified in (a) above own immovable property at the date of the share transfer.
(if Yes attach details)
- c
An increase or reduction in the share capital of the company took place within eighteen months prior to the date of the share transfer.
(if Yes attach details)
- d
Any shares have been transferred by the transferor or a related party within eighteen months prior to the date of the share transfer.
(if Yes attach details)
- e
The company came into existence as a result of a restructuring.
(if Yes attach details specifying the date and whether a merger, division, etc)
- f
Such shares are held by a company whose shareholders, directly or indirectly, are all not resident in Malta,
- g
The transfer is a transfer to which art 5(3)(a) of the act applies.

Part 3 - Details of share transfer

a	Date of share transfer	
b	Number of shares held at date of transfer	
c	Number of shares transferred	
d	Consideration for shares transferred	

Give details of the shares transferred:

Type	Class	Votes per share	Nom Value per share	Number	Date of acquisition

Part 4 - Computation of the market value of the shares transferred

The market value of the shares being transferred is to be determined as follows:

Market value of shares transferred / global transfer

Sec I : Determination of the % of the market value of the company as represented by such shares

	Type	Class	Nominal Value	Voting rights	Nom Value of shares transferred	Voting rights of shares transferred
Issued share capital						
Total						
			(A)	(B)	(C)	(D)

Percentage of the Market Value of company

(C/A)	(D/B)

a State whether there has been a change in the issued share capital of the company during the period of eighteen months preceding the transfer.

b If the answer to "a" is "yes", state whether the percentage of the shareholding or voting rights of the transferee in the capital or voting rights of the company has been decreased as a result of such change.

c If the answer to "b" is "yes" , give details of the capital structure of the company as existing at the time immediately preceding that change.

	Type	Class	Nominal Value	Voting rights	Nom Value of shares transferred	Voting rights of shares transferred
Issued share capital						
Total						
			(E)	(F)	(G)	(H)

Percentage of the Market Value of company

(G/E)	(H/F)

Percentage of the MV of the company to be taken into account
(higher of G/E or H/F) (Z)

Sec II : Computation of Market value of company;

a Total Net Asset Value of the company:

b Market Value of shares held in another company representing at least 10% of the nominal value of the issued share capital of that other company, determined in accordance with rule 5.

Company	Income Tax no.	Market Value

Deduct book value of shares held in the company
(as stated in the financial statements)

c Total market value of immovable property as stated in the Architect's Valuation (as per Part 6)
less Total book value of immovable property

Adjustment to the value of immovable property:

d Value of goodwill: (as calculated in Sec IV below)

e Deduct book value of the shares referred to in Rule 5(6)(d):

f Total adjusted market value of the company:

Sec III : Market value of shares transferred:

a Adjusted market value of the company
(Sec IIe)

b % of market value as represented by shares transferred or global transfer
(higher of C/A, D/B or Z in Sec I)

c Market value of shares transferred or global transfer
(a X b)

d Total value taken into account for the purpose of determining the chargeable gain arising from each of the relevant transactions preceding this transfer

e Market value of shares transferred
(c - d)

f Value of the consideration of shares transferred
(Part 3d)

g Value to be taken into account for the purpose of calculating any gain or loss from the share transfer
(higher of e or f)

Sec IV : Calculation of the amount representing the value of goodwill:

a Where company was in existence for the five financial years immediately preceding the year in which the transfer is made:

Year ended _____

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Profit before tax						
Value of goodwill:						

Note: Where the transfer is made during the company's first or second financial year the value of goodwill above shall be zero.

b Where the company has acquired its business or part thereof from another person during the company's first three financial years:

State date when business was acquired:

State consideration paid for the acquisition of the goodwill of such business:

Profits of the company excluding profits attributable to business acquired;

Year ended _____

	Year 1	Year 2	Year 3	Total
Profit before tax				
Value of goodwill:				

Profits attributable to business acquired from another person;

Year ended _____

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Profit before tax						
Value of goodwill attributable to business acquired						A <input type="text"/>
Consideration paid for the acquisition of such goodwill						B <input type="text"/>
Value of the goodwill of the business so acquired (higher of A and B)						<input type="text"/>
Total amount representing the value of goodwill:						<input type="text"/>

Note: Where the assets of the company include shares in another company, and such shares represent at least ten percent of the nominal value of the issued share capital of the other company, the computations in Part 5 must be made for each such shareholding.

Part 5 - Architect's valuation

If the company owns immovable property at the date of the share transfer, attach an architect's valuation of the market value of the immovable property taken into account in determining the value of the said shares.

Part 6 – Declaration

I do hereby declare that the information submitted through this form is true and complete:

Transferor's signature_____ Transferor's name_____

This Schedule shall be accompanied by an auditor's signed report which shall form an integral part of the schedule, giving assurance as to (a) the fact that the transfer is a transfer of a controlling interest (including the grounds on which such statement is based) and (b) whether the computation of the market value of the shares being transferred has been properly prepared in accordance with the Capital Gains Rules.