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Registration of Trust

for the purposes of the Income Tax Acts

1. Purpose

In pursuance of the provisions of the Income Tax Acts and relevant regulations made thereunder, the trustees of a trust that are persons resident in Malta need to register the said trust for the purposes of the Income Tax Acts where there is income attributable to such trust as provided for in the said Acts. Form Trusts 01 is required to be furnished to the Commissioner of Inland Revenue for this purpose by the said trustees. This form may also be used for the purposes of (i) the election to have the income attributable to such trust to be treated as though it was income of a company ordinarily resident and domiciled in Malta in terms of Article 27D(1) of the Income Tax Act; and (ii) the application for a determination that the trust is of a temporary nature in terms of Article 27D(2) of the Income Tax Act.

2. When to File

This return is to be completed and forwarded so as to reach the Department of Inland Revenue not later than 30 days from the date of appointment of the first trustee that is a person resident in Malta.

3. Accompanying Documents

A copy of the written instrument establishing/evidencing the trust in the case of an election under Article 27D(1) of the Income Tax Act or an application for a determination in terms of Article 27D(2) of the Income Tax Act, together with such other documents specified in this form are to be attached.

4. Signatures

This return is to be signed by each of the trustees of the trust that are persons resident in Malta. In certain cases as specified in this form, the trustee(s) may need to have particular authorisation(s) or licence(s).

5. Where to File

The completed return is to be submitted to: **Commissioner of Inland Revenue, Department of Inland Revenue, Floriana.**

Commissioner of Inland Revenue

Part 1 - Details of Trust

Name of Trust:								
	d	d	m	m	y	y	y	y
Date of Establishment of Trust:								
Date of Appointment of First Resident Trustee:								
First year of Assessment								
Type of Trust:						For Official Use Only		
Fixed Interest Trust	<input type="checkbox"/>					Trust Income Tax No:		
Discretionary Trust	<input type="checkbox"/>					_____		
Accumulation & Maintenance Trust	<input type="checkbox"/>					Determination/Election Ref. No:		
Protective Trust	<input type="checkbox"/>					_____		
Charitable Trust	<input type="checkbox"/>							
Other (Please specify)	<input type="checkbox"/>					Received:		



Part 2 - Contact Information

Name of Resident Trustee(s):		Income Tax No:							
Contact Details:									
House No.									
Street									
Locality									
Post Code									
Country									
Telephone No.		Fax No.							
Email									

Part 3 - Details of Settlor(s) and Beneficiaries

(Optional except for cases where a valid election in terms of Article 27D(1) of the Income Tax Act or a determination in terms of Article 27D(2) of the Income Tax Act has been made)

Part 3a - Settlor(s)

Name:	Income Tax No: (where applicable)							

Part 3b - Beneficiaries

Name:	Income Tax No: (where applicable)							

Part 4 - Taxation Details

Note: Mark [✓] as appropriate

Election in terms of Article 27D(1) of the Income Tax Act

The undersigned trustee(s) that have been granted authorisation as trustee(s) under the provisions of Article 43(3) of the Trusts and Trustees Act are hereby irrevocably electing that the chargeable income attributable to the above named trust be computed as if such income was derived by a company ordinarily resident and domiciled in Malta in terms of Article 27D(1) of the Income Tax Act. The said trustee(s) also declare that the income attributable to this trust shall comprise only income in the form of royalties, dividends, capital gains, interest, rents or any other income from investments.

Application for Determination in terms of Article 27D(2) of the Income Tax Act

The undersigned trustees are hereby applying for a determination that the above-named trust is of a temporary nature in terms of Article 27D(2) of the Income Tax Act. The undersigned trustees are all in possession of a valid licence issued in terms of the Banking Act or the Financial Institutions Act, a copy of which is being attached herewith. A brief description of the purpose of establishment of this trust and of the transactions involved, together with an estimated duration of this trust are being given hereunder.

Purpose of Trust:

Transactions Involved:

Estimated Duration:

Taxation under Article 27D(3) of the Income Tax Act

The undersigned trustees declare that no election or application mentioned in the two previous paragraphs shall be made and that the provisions of paragraphs (b), (c), (d) and (e) of Article 27D(3) of the Income Tax Act shall apply to the above-named trust.

