A.L. 214 ta' l-2003

ATT DWAR IL-KUMPANNIJI
(KAP. 386)

ORDINANZA DWAR SOĊJETAJIET KUMMERĊJALI
(KAP. 168)

Regolamenti ta' l-2003 li jemendaw ir-Regolamenti dwar Drittijiet li joħorgu mill-Att dwar il-Kumpanniji

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 425 ta' l-Att ta' l-1995 dwar il-Kumpanniji u bl-artikolu 195 ta' l-Ordinanza dwar Soċjetajiet Kummerċjali, il-Ministru tal-Finanzi u l-Affarijiet Ekonomiċi għamel dawn ir-regolamenti li ġejjin:-

Titolu u bidu fis-seħħ.

A.L. 44 ta' l-1997.

1. (1) It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2003 li jemendaw ir-Regolamenti ta' l-1997 dwar Drittijiet li joħorġu mill-Att dwar il-Kumpanniji, u għandhom jinqraw u jiftiehmu ħaġa waħda mar-Regolamenti ta' l-1997 dwar Drittijiet li joħorġu mill-Att dwar il-Kumpanniji, hawnhekk iżjed 'il quddiem imsejjħa bħala "ir-regolamenti prinċipali".

(2) Dawn ir-regolamenti għandhom jidħlu fis-seħħ fl-1 ta' Jannar, 2004.

Emenda ta' l-Iskeda li tinsab mar-regolamenti prinċipali.

2. L-Iskeda li tinsab mar-regolamenti prinċipali għandha tiġi emendata kif ġej:-

(a) Minflok il-paragrafu (a) tagħha, għandu jidħol dan li ġej-

"(a) Reġistrazzjoni ta' kull soċjetà kummerċjali li l-kapital awtorizzat jew il-kontribuzzjonijiet totali tagħha, skond il-każ:

(i) ma jkunx iżjed minn Lm2,000	Lm150
(ii) ikun iżjed minn Lm2,000 iżda mhux iżjed minn Lm5,000	Lm150 b'żieda ta' Lm10 għal kull Lm1,000 jew parti minn Lm1,000 'il fuq minn Lm2,000

(iii) ikun iżjed minn Lm5,000 iżda mhux iżjed minn Lm25,000	Lm180 b'żieda ta' Lm5 ghal kull Lm1,000 jew parti minn Lm1,000 'il fuq minn Lm5,000
(iv) ikun iżjed minn Lm25,000 iżda mhux izjed minn Lm100,000	Lm280 b'żieda ta' Lm5 ghal kull Lm5,000 jew parti minn Lm5,000 'il fuq minn Lm25,000
(v) ikun iżjed minn Lm100,000	Lm355 b'żieda ta' Lm5 ghal kull Lm5,000 jew parti minn Lm5,000 'il fuq minn Lm100,000 sa massimu ta' Lm750.";

(b) Minflok il-paragrafu (b) taghha, ghandu jidhol dan li ġej-

"(b) Reġistrazzjoni ta' dokumenti mibghuta lir-Reġistratur tal-Kumpanniji skond l-artikolu 385 ta' l-Att dwar il-Kumpanniji:

Meta l-kapital reġistrat tal-kumpannija barranija -

(i) ma jkunx iżjed minn Lm2,000	Lm150
(ii) ikun izjed minn Lm2,000 iżda mhux iżjed minn Lm5,000	Lm150 b'żieda ta' Lm10 ghal kull Lm1,000 jew parti minn Lm1,000 'il fuq minn Lm2,000
(iii) ikun iżjed minn Lm5,000 iżda mhux iżjed minn Lm25,000	Lm180 b'żieda ta' Lm5 ghal kull Lm1,000 jew parti minn Lm1,000 'il fuq minn Lm5,000
(iv) ikun iżjed minn Lm25,000 iżda mhux iżjed minn Lm100,000	Lm280 b'żieda ta' Lm5 ghal kull Lm5,000 jew parti minn Lm5,000 'il fuq minn Lm25,000
(v) ikun izjed minn Lm100,000	Lm355 b'żieda ta' Lm5 ghal kull Lm5,000 jew parti minn Lm5,000 'il fuq minn Lm100,000 sa massimu ta' Lm750.";

Meta kumpannija barranija ma jkollhiex kapital reġistrat -

(i) jekk in-numru ta' membri dikjarat fl-att li jikkostitwixxi l-kumpannija ma jkunx iżjed minn 25	Lm150
(ii) jekk in-numru ta' membri dikjarat fl-att ikun iżjed minn 25 iżda mhux iżjed minn 100	Lm150 b'żieda ta' Lm10 għal kull 25 membru jew frazzjoni ta' dak in-numru 'l fuq mill-ewwel 25
(iii) jekk in-numru ta' membri dikjarat fl-att ikun iżjed minn 100 iżda jkun limitat	Lm180 b'żieda ta' Lm5 għal kull 50 membru jew frazzjoni ta' dak in-numru 'l fuq mill-ewwel 100
(iv) jekk in-numru ta' membri ma jkunx limitat	Lm250

Iżda t-total tad-drittijiet imħallsa minn kumpannija b'riferenza għall-assoċazzjoni tagħha ma għandu f'ebda każ ikun iżjed minn Lm250:

Iżda wkoll f'ebda każ ma għandu d-dritt ta' reġistrazzjoni jkun iżjed minn Lm750.";

(ċ) Minflok il-paragrafu (g) sa (o) tiegħu, għandu jidħol dan li ġej -

"(g) Reġistrazzjoni ta' prospett annwali ta' kumpannija:

Fil-każ meta l-kapital awtorizzat tal-ishma fil-kumpannija -

(i) ma jkunx iżjed minn Lm5,000	Lm70
(ii) ikun iżjed minn Lm5,000 iżda mhux iżjed minn Lm50,000	Lm140
(iii) ikun iżjed minn Lm50,000 iżda mhux iżjed minn Lm100,000	Lm210
(iv) ikun iżjed minn Lm100,000 iżda mhux iżjed minn Lm500,000	Lm280
(v) ikun iżjed minn Lm500,000	Lm420

(h) Reġistrazzjoni ta' dokumenti

mibgħuta lir-Reġistratur tal-Kumpanniji skond l-artikolu 387 ta' l-Att dwar il-Kumpanniji jew l-artikolu 180 ta' l-Ordinanza dwar Soċjetajiet Kummerċjali:	Lm75;
(i) Għal kull kopja, għal kull folja:	Lm0.15;
(j) Għal ċertifikat dwar kopji veri:	Lm1;
(k) Għal ċertifikat dwar id-diretturi tal-kumpannija:	Lm3;
(l) Għal kull ċertifikat ieħor maħruġ fuq it-talba ta' min tkun:	Lm5;
(m) Għal riserva ta' l-isem ta' soċjeta' kummerċjali:	Lm2 kull isem
(n) Għal kull spezzjoni ta' dokumenti ta' kull soċjeta' kummerċjali f'għamla ta' karti:	Lm5 għal kull *file*;
(o) Għall-ispezzjoni ta' dokumenti ta' soċjetajiet kummerċjali f'għamla elettronika:	
(i) ħlas għal *log-in*:	Lm1 kull *log-in*;
(ii) għal kull siegħa ta' aċċess wara l- ewwel 20 minuta:	Lm2 kull siegħa pagabbli bil-minuta;
(iii) għal *downloads* ta' dokumenti :	
- Memorandum u statut tal-assoċazzjoni u kontijiet annwali	Lm1 kull dokument;
- Prospett	Lm2 kull dokument;
- Prospett annwali	Lm0.50 kull dokument;
- kwalunkwe dokument ieħor	Lm0.10 kull dokument;
(iv) għall-ispezzjoni u *download* ta' dokumenti mingħajr limitu:	Lm5,000 fis-sena.".

L.N. 214 of 2003

COMPANIES ACT
(CAP. 386)

COMMERCIAL PARTNERSHIPS ORDINANCE
(CAP. 168)

Companies Act (Fees) (Amendment) Regulations, 2003

IN exercise of the powers conferred by article 425 of the Companies Act and by article 195 of the Commercial Partnerships Ordinance, the Minister of Finance and Economic Affairs has made the following regulations :-

1. (1) These regulations may be cited as the Companies Act (Fees) (Amendment) Regulations, 2003 and shall be read and construed as one with the Companies Act (Fees) Regulations, 1997, hereinafter referred to as "the principal regulations". Citation. L.N. 44 of 1997.

(2) These regulations shall come into force on the 1st January, 2004.

2. The Schedule to the principal regulations shall be amended as follows:- Amends the Schedule to the principal regulations.

(a) For paragraph (a) thereof, there shall be substituted the following:-

"(a) Registration of any commercial partnership whose authorised capital or total contributions, as the case may be:

(i) does not exceed Lm2,000	Lm150
(ii) exceeds Lm2,000 but does not exceed Lm5,000	Lm150 with the addition of Lm10 for each Lm1,000 or part thereof in excess of Lm2,000
(iii) exceeds Lm5,000 but does not exceed Lm25,000	Lm180 with the addition of Lm5 for each Lm1,000 or part thereof in excess of Lm5,000
(iv) exceeds Lm25,000 but does not exceed Lm100,000	Lm280 with the addition of Lm5 for each Lm5,000 or part

	thereof in excess of Lm25,000
(v) exceeds Lm100,000	Lm355 with the addition of Lm5 for each Lm5,000 or part thereof in excess of Lm100,000 up to a maximum of Lm750.";

(b) for paragraph (b) thereof, there shall be substituted the following:-

"(b) Registration of documents delivered to the Registrar of Companies in compliance with article 385 of the Companies Act:

In the case where the registered capital of the oversea company -

(i) does not exceed Lm2,000	Lm150
(ii) exceeds Lm2,000 but does not exceed Lm5,000	Lm150 with the addition of Lm10 for each Lm1,000 or part thereof in excess of Lm2,000
(iii) exceeds Lm5,000 but does not exceed Lm25,000	Lm180 with the addition of Lm5 for each Lm1,000 or part thereof in excess of Lm5,000
(iv) exceeds Lm25,000 but does not exceed Lm100,000	Lm280 with the addition of Lm5 for each Lm5,000 or part thereof in excess of Lm25,000
(v) exceeds Lm100,000	Lm355 with the addition of Lm5 for each Lm5,000 or part thereof in excess of Lm100,000 up to a maximum of Lm750.";

In the case where an oversea company does not have a registered capital -

(i) where the number of members stated in the instrument constituting the company does not exceed 25	Lm150
(ii) where the number of members stated in the instrument exceeds 25 but does not exceed 100	Lm150 with the addition of Lm10 for each 25 members or fraction thereof in excess of the first 25

(iii) where the number of members stated in the instrument exceeds 100 but is not unlimited	Lm180 with the addition of Lm5 for each 50 members or fraction thereof in excess of the first 100
(iv) where the number of members is unlimited	Lm250

Provided that the total of the fees payable by any company by reference to its membership shall in no case exceed Lm250:

Provided further that in no case shall the registration fee exceed Lm750.";

(c) for paragraphs (g) to (o) thereof, there shall be substituted the following:-

"(g) Registration of an annual return of a company:

In the case where the authorised share capital of the company -

(i) does not exceed Lm5,000	Lm70
(ii) exceeds Lm5,000 but does not exceed Lm50,000	Lm140
(iii) exceeds Lm50,000 but does not exceed Lm100,000	Lm210
(iv) exceeds Lm100,000 but does not exceed Lm500,000	Lm280
(v) exceeds Lm500,000	Lm420

(h) Registration of documents delivered to the Registrar of Companies in compliance with article 387 of the Companies Act or article 180 of the Commercial Partnerships Ordinance:	Lm75;
(i) For every copy per sheet:	Lm0.15;
(j) For a certificate regarding true copies:	Lm1;
(k) For a certificate regarding the directors of a company:	Lm3;
(l) For any other certificate regarding a company	Lm5;

issued upon the request of any person:

(m) For the reservation of the name of a commercial partnership:	Lm2 per name;
(n) For every inspection of documents of each commercial partnership in paper format:	Lm5 per file;
(o) For the inspection of documents of commercial partnerships in electronic format:	
(i) log-in charge:	Lm1 per log-in;
(ii) for every hour commencing after the first 20 minutes of connection time:	Lm2 per hour, chargeable per minute;
(iii) for downloads of documents:	
- Memorandum and Articles of Association and annual accounts	Lm1 per document;
- Prospectus	Lm2 per document;
- Annual return form	Lm0.50 per document;
- Any other document	Lm0.10 per document;
(iv) for unlimited inspections and download of documents	Lm5,000 per annum.".