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**Return Pursuant to Section 20
of The Transfer Tax Act 1971**

**Form 2
(Regulation 5(1))**

Transaction

Transferor's name

Transferor's address

Transferee's name

Transferee's address

Date of transfer

Property transferred

Consideration

(If no consideration, estimate the market value)

Are you transferor or transferee?

Are transferor and transferee connected?

See Note 1 for meaning
of "transfer"

See Note 2 for meaning
of "property"

If so, state which in
answer.

See Note 3 for meaning
of "connected person"

Questions to be answered in certain cases

**A. In cases of
OPTIONS**

1. Did transaction include grant or other transfer of any option?

If so, by whom, to whom, when, or what property and for how much?.....

to Date

Property

Consideration

(If no consideration, estimate the market value)

2. Has option been exercised for transfer of any property?

If so, when, by whom, for transfer of what property, to whom, from whom, and for how

much? Date

by

Property

to

from

Consideration What is the consideration for the transfer (if any) of the property? Does it include consideration for the option?	
B. In cases of LEASES	See Note 2 (ii) for meaning of "lease"
1. Was transaction by way of grant or other transfer of lease? If so, when and what property leased, by whom and to whom?..... Date Property Lessor Lessee Was there a premium or lump sum payment? If so, when, by whom and to whom and how much?Date Payor Payee Amount	
2. Was there variation, waiver or surrender of a right or interest? If so, when, and of what right of interest?..... Date Right of interest And if so, on what terms? And was there payment of any sum under such terms or in lieu of rent? And if so, when, by whom, to whom and how much?Date Payor Payee Amount	
3. Was property leased for less than a rack rent? If so, how much rental is forgone by lessor?	
4. What is the market value of the property?	

**C. In cases of
SETTLEMENT or TRUST PROPERTY**

1. Was transfer by way of settlement?
 If so, (a) on whom
 (b) who are the trustees?.....
 (c) describe trust property?.....

2. Are or were you trustee or beneficiary?
 If so, under what trust or settlement
 And, was there entire or part disposal of a beneficial interest?
 If so, (a) to whom
 (b) when?
 (c) and for how much?.....
 (d) name of beneficiary
 (e) property disposed of

3. Was there a transfer of trust property by trustee(s)?
 If so, (a) when?
 (b) to whom?
 (c) for how much?

4. Did a beneficiary become absolutely entitled as against a trustee?
 If so, (a) when?
 (b) against whom?
 (c) what is the value of the property to which the beneficiary has become
 absolutely entitled?
 (d) name of beneficiary

5. Has the life interest been terminated?
 If so, (a) when?
 (b) who is the remainder-man or beneficiary succeeding?

 (c) what is the value of the property that has been
 passed to the remainder-man or the beneficiary?

D. In cases of COMPANY LIQUIDATIONS	
1. Was transferor acting through liquidator or company? If so, (a) what company? (b) when appointed liquidator?..... (c) was there transfer of assets of company in specie to any member of the company?..... If so, (i) to whom (ii) what were the assets comprised of? (iii) what was the value of those assets?.....	
E. In cases of CAPITAL DISTRIBUTIONS	
1. Did you grant any capital distributions from company? <i>(To be answered where return by or for transferees)</i> If so, (a) when? (b) to whom? (c)from which company? (d) name of secretary of company (e) for how much? If not paid in cash what was the value of the assets distributed? 2. Did you receive or become entitled to receive any capital distributions from company? If so, (a) when? (b)from which company? (c) name of secretary of company (d) how much?In case of distribution of assets, not cash, what was their value?	

I being transferor/transferee/nominee for purposes of the Transfer Tax Act, 1971 / trustee, do hereby declare that the information given in this return and any document attached is true and correct in every respect to the best of my knowledge and belief and that this Declaration is made with the full knowledge and understanding that any false statement made herein by me, or failure on my part to supply such of the answers herein provided for as the case may require, will give rise to liability to penalties under the said Act.

Signature

Date

Contact Number (s): (Cell) (Land Line)

Email Address:

Delete whichever is inapplicable

NOTES

The Transfer Tax, 1971 imposes a charge to tax at the rate of 2 ½% of the consideration (as assessed thereunder) for each transfer of property after the 1st April, 1970.

1. Transfer=any legal or equitable transfer by way of sale, gift, exchange, grant, assignment, surrender, release or other disposal and includes a transfer by order or at the direction of a court or by compulsory acquisition, and disposal includes a part disposal where an interest or right in or over property is created by the disposal, as well as where it subsists before the disposal. Circumstances in which transfers are deemed to have taken place may also arise under the Act.
2. Property=
 - (i) land situated in Jamaica;
 - (ii) a lease of land (including an underlease, sublease, tenancy, licence, or agreement therefor);
 - (iii) securities of a company (including shares, debentures, stock, bonds, and rights or interests in, to or over them);
 - (iv) beneficial interests in any of the above under any settlement;
 - (v) options for the transfer, and interests or rights created by part disposal, of any of the above
3. Connected Persons (See Section 4(3) of the Transfer Tax Act, 1971)
 - (i) Individuals are connected with one another if-
 - (a) they are husband and wife, or
 - (b) they are relatives of one another, or
 - (c) one of them is a relative of the other's wife or husband, or
 - (d) (For definition of relatives see below).
 - (ii) A person, in his capacity as trustee of a settlement, is connected with-
 - (a) the settlor, and
 - (b) any person who is connected with the settlor.
 - (iii) A person is connected with-
 - (a) any person with whom he is in partnership, and
 - (b) the wife or husband or relative of any person with whom he is in partnership,except as respects bona fide transfer of partnership property.
 - (iv) A company is connected with another company if-
 - (a) the same person has control of both, or
 - (b) a person has control of one and persons (other than individuals) connected with him, or he and they, have control of the other, or
 - (c) a group of two or more persons has control of each company, and the groups consist of the same persons or would consist of the same persons if any of the members of either group were replaced by persons with whom they are connected.
 - (v) A company is connected with another person if-
 - (a) that person has control of it, or
 - (b) that person and persons connected with him together have control of it.
 - (vi) Any two or more persons acting together to secure or exercise control of a company are treated in relation to that company as connected with one another and any person acting on the directions of any other person to secure or exercise control of the company is treated as connected with that other person.
 - (vii) If A is connected with B, B is connected with A.

Relative = husband, wife, brother, sister, uncle, aunt, nephew, niece or lineal ancestor or descendant, a person's step-child, adopted child, or illegitimate child being regarded as his child (see Section 2 (i) of the Transfer Tax Act, 1971).

Control = in relation to a company, means the power of a person to secure, by means of the holding of shares in that or another company, or otherwise under powers conferred by the articles of association or other document regulating that or another company, that the affairs of the company are conducted according to his wishes (see Section 2(1) of the Income Tax Law 1954).
4. In order to determine the market value of a company's securities transferred by anyone who, alone or together with persons connected with him, has control of the company, its assets must be valued.