

Charge of stamp duty. FA1973 s68 116.—(1) This section applies to the following transactions:

- (a) the formation of a capital company;
- (b) the conversion into a capital company of a company, firm, association or legal person which is not a capital company;
- (c) an increase in the capital of a capital company by the contribution of assets of any kind other than an increase in capital through capitalisation of profits or of reserves, whether temporary or permanent reserves, but including the conversion of loan stock of a capital company into share capital;
- (d) an increase in the assets of a capital company by the contribution of assets of any kind in consideration, not of shares in the capital or assets of the company, but of rights of the same kind as those of members of the company such as voting rights, a share in the profits or a share in the surplus on liquidation;
- (e) the transfer from a third country to the State of the effective centre of management of a capital company whose registered office is in a third country;
- (f) the transfer from a third country to the State of the registered office of a capital company whose effective centre of management is in a third country;
- (g) the transfer from a Member State to the State of the effective centre of management of a capital company which is not considered to be a capital company in the other Member State;
- (h) the transfer from a Member State to the State of the registered office of a capital company whose effective centre of management is in a third country and which is not considered to be a capital company in the Member State from which the registered office is being transferred.

(2) Stamp duty shall be charged on the statement required to be delivered under this Part where, at the date of a transaction, or as a result of the transaction—

- (a) the effective centre of management of the capital company is in the State, or
- (b) if the effective centre of management of the capital company is in a third country, the registered office of the capital company is in the State,

and the provisions of this Act shall, subject to the provisions of this Part, apply in relation to this duty as if it were imposed by section 2.