



Examiner's Feedback Report – Module E 2024-2025

The examination team hereby provides comments on the candidates' knowledge of the subject matter of Module E, as observed from the candidates' performance during the exam, as well as general exam observations.

The examination consisted of a 2 hour and 15 minute exam containing three questions: questions 1 and 2 were case-studies, whilst question 3 required candidates to write short notes on four topics. The candidates were required to answer two questions, each carrying 50 marks.

General Comments

There was a fairly even balance in terms of candidates' choice of question, with question 2 and question 3 being the most popular choices overall.

The examiners were pleased to note an acceptable overall standard and quality of responses, with a slight increase over last academic year in the average mark achieved for each question which came in at 33.9/50.

The average overall grade was 68%, with the highest overall mark being 86% and the lowest 44%.

The examiners noted that, unlike previous years, a number of candidates did follow the instruction to make reference to the relevant provisions of the legislation to support their responses. However, the examiners also noted that a number of candidates presented superficial responses, in particular in Question 2 (see below).

The students who underperformed in each of the questions were generally those who, notwithstanding having access to the legislation, still presented inaccurate responses, demonstrating failure to have grasped the basic principles and/or inability to interpret and apply the relevant rules in the context of the exam question.

Question 1

Question 1 was a case-study around general VAT obligations of a person who commences an economic activity, supplying services domestically initially and then subsequently cross-border. The questions required candidates to identify the Malta VAT treatment of the transactions being analysed, the VAT registration obligation and the right or otherwise for input tax recovery.

Overall, candidates performed well in this case study, demonstrating a fairly sound understanding of the key principles, and appropriately applying the provisions to the context.



Question 2

This case study tested candidates' knowledge of the rules applicable to chartering/hiring of vessels and intra-community acquisition of goods. This was the popular question choice overall, with rather mixed performance that was disappointing given that this topic was addressed during revision feedback sent in advance of the exam. The examiners in particular noted that a number of candidates provided superficial responses, with some merely restating the wording of the law, some providing outline comments or reproducing the revision feedback, instead of fuller responses as would be expected for an examination at this level.

Question 3

This question requested candidates to write short notes on the following:

- (i) A 'Taxable Person' for VAT purposes;
- (ii) The notions of 'Intra-Community Supply' and 'Intra-Community Distance Sales of goods' for Malta VAT purposes, and the key Malta VAT considerations when each of the aforementioned take place in Malta;
- (iii) The simplification procedure for triangular transactions;
- (iv) The Malta VAT treatment of the rental of immovable property to an individual for accommodation purposes.

This question required students to demonstrate their knowledge of the principles, preferably with reference to case-law of the CJEU where applicable, and did not require specific application like the other two questions.

As in previous years, a majority of candidates opted for this question as one of their choices. The marks ranged from under 20/50 to over 40/50. The candidates who obtained the lowest marks were those who either outrightly omitted one or more sections of the question, provided incomplete replies or merely reproduced the provisions of the law. Those who highlighted the key elements of the topics, with reference to the provisions of the law, as well as any relevant case-law, achieved the highest marks.