



Examiner's Feedback Report – Module A 2024-2025

The examination team hereby provides comments on the identified major strengths and weaknesses of candidate's knowledge including general exam observations.

The examination consisted of a 2 hour and 15-minute exam containing three questions subdivided in different parts where candidates were required to answer two questions carrying 50 marks each.

General Comments

Candidates often overlooked timing considerations. It was evident that a substantial portion of candidates rushed through the last question attempted when compared with the first question. In fact, one could note this in handwriting quality, as it deteriorated as the exam progressed. In addition, candidates provided shorter answers with missing necessary details in the last questions answered. Candidates typically opted to attempt the question in which they were comfortable in first.

A significant number of candidates have attempted question 2 first and overly explained their answers for this question. A substantial portion of students deliberately went overboard and were not concise in questions they were comfortable in. Consequently, they have exhausted part of the time that should have been allocated to the second question. Thus, less time was available at their disposal to adequately answer the second question which carried half of the marks of the entire paper.

Students lost significant amount of marks as they lacked basic understanding of particular concepts such as the distinction between 'tax payable' and 'tax chargeable'. Consequently, their line of thinking and conclusions reached, were severely off track from an ideal answer.

Analysing candidates who were underperforming, one could conclude that the vast majority of candidates who failed the exam failed to achieve a satisfactory mark in both questions answered indicating that such candidates were deficient in their knowledge across the subject matter and not in particular areas of the syllabus for this module.

Candidates tended to be very uncomfortable in answering questions which had a mathematical element. It was evident that candidates struggled to dissect information provided to them in question 1. It is expected that students are able to extract the tax meaning of the information provided and formulate a tax treatment for the fact pattern being presented.

A significant number of candidates have made direct references to particular articles in the law, without actually providing an insight into the concept that such articles illustrate. This shows that candidates probably had adequate capability to identify the appropriate legal text relevant to the case at hand but were unable to show an understanding of such articles, as explanations were very limited and at times non-existent.

No marks can be allocated to the mere extraction of information and repetition of the same text as answer. Candidates who struggled in basic understanding, resorted to provide non insightful



answers which were rewording of the facts presented with added assumptions. This behaviour is strongly discouraged.

It is our pleasure to note that generally candidates who acquired tax knowledge presented in this module have consistently showed the same level of knowledge through both questions answered.

Question Specific Comments

Questions 1

This question was an a very unpopular choice in fact the vast majority of students opted not to attempt the question.

Students were paralysed when presented with information which appeared bulky. The question required candidates to articulate the information presented and extract the tax meaning of the information presented. It was expected that students provide an in-dept understanding of the tax treatment that should be adopted and thereafter proceed to provide insights into tax account allocations and dividend distribution implications.

A number of candidates resorted to provide general information on the subject matter being tested. Such answers were superficial and did not demonstrate the application of tax knowledge in the presented case.

Candidates often lacked structure in the tax thought process and thus jumped from one concept to the next consequently marks were lost as candidates often missed vital information.

Candidates who attempted this question lacked the understanding on the allocation to tax accounts. Although the question had all relevant and vital information for students to be able to arrive at a conclusion, a number of candidates opted to insert unnecessary presumption in their conclusions swaying candidates to go at a tangent or provide information which was not expected.

Question 2

This was the most popular question, however students missed pivotal points being the provisions in Article 4 to the Income Tax Act relating to marriage and often overlooked established tax practice on where does income arise.

Candidates often lacked proportionality in their answers to the marks allotted specifically for part A(i) and A(ii).

Part A(ii) asked for the tax consideration for a Maltese ordinarily resident and domiciled individual shareholder, however a number of students ignored the specifics being asked for and provided a wide answer.

In Part A(iii), the procedural aspects required for a tax refund which was asked as part of the questions was often overlooked or disregarded.

Part B of this question was generally satisfactorily answered. However, Part C was often poorly answered as students lacked argumentative skill and technique on the difference between an income and capital receipt.



Question 3

Part A of the question tested one of the most recent amendments to income tax legislation.

Although candidates attempting the question were aware of the general amendment, a considerable number did not manage to navigate through the details of the subject matter. Candidates lacked the ability to apply knowledge to the case at hand.

In Part B of the question candidates generally provided satisfactory answers.

Surprisingly, Part C of the question was either rushed through by candidates or else the answer provided lacked detail and explanations of numbers presented.

Comments on examination techniques

A substantial number of candidates did not possess basic examination techniques. Most candidates did not devote adequate time and resources to the answers proportionate to the marks allotted for each question. Marks are indicative of the level of in-depth analysis that each answer is expected to have.

It has been noted that a significant number of candidates produced illegible scripts or exhibited poor report writing skills whilst other candidates were unable to express themselves and communicate in English.

Candidates attempting this exam should have acquired sufficient tax knowledge such that they are able to understand the inter relationships between tax concepts and are able to apply tax knowledge to the presented cases. Candidates are expected to devote adequate time to study the legal text and supplementary course material presented during the course in order to limit to a minimum the need to search in reference material during the examination.