EU Citizenship by Investment
Malta & Cyprus Citizenship by Investment Programmes
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Maltese Citizenship Rights

The Republic of Malta enjoys a stable political climate and a bi-partisan political scene that is largely convergent on issues of national and economic importance. Malta has weathered the financial crises well and shared the limelight with Germany as the only two states maintaining economic growth in the Euro Zone. Malta’s banks have been ranked amongst the top 5 soundest banks in the world.

Malta has been a member of the European Union since 2004 and is part of Schengen since 2007. Citizenship obtained under this programme grants the rights of full citizenship for life and can be passed on to future generations by descent. Maltese citizenship grants access to all investment opportunities in Malta and throughout the European Union open to Maltese and European Union citizens.

Legal Basis for Maltese Citizenship by Investment

Maltese Citizenship by Investment is granted under an amendment passed in November 2013 to the Maltese Citizenship Act, Chapter 188 of the Laws of Malta. These amendments provided the framework for the enactment of LN 47 of 2014. The “Malta Individual Investor Programme (MIIP) rules provide for affluent persons of impeccable standing and repute to be naturalised and to receive Maltese citizenship on the basis of a contribution to and investment in Malta.

Benefits of Malta Citizenship

- Schengen Residence status for 1 yr prior to issue of passport, issued on application
- European Union Member State.
- 160 Visa-free destinations inc. US, UK.
- Passport issued within 1 year.
- Clear, objective rules for eligibility.

Eligibility for Maltese Citizenship by Investment

To qualify under the regulations, a Main Applicant for citizenship must be at least 18 years of age and must meet the requirements outlined in this factsheet.

The main applicant may also add dependents to a citizenship application. The spouse, children and parents or grandparents, may be included in the application under certain conditions in order to benefit under the Malta Citizenship by Investment Programme.

Beneficiaries under the Global Residence Programme may also additionally apply for citizenship under this Programme.

‘Fit and proper’ Test

Applicants must show they are in good standing and repute and will undergo a ‘fit and proper’ test. The Government of Malta is committed to the highest standard of due diligence to ensure only deserving and reputable applicants are allowed to proceed for the grant of Maltese citizenship.

A four-tier due diligence process is carried out directly by the Government that assesses applicants, processes and approves applications at various stages.

Applicants must demonstrate a clean criminal record, with checks being conducted with the International Criminal Court, INTERPOL and various other authorities and sources. Applicants must provide a police certificate which may be submitted subsequently to the submission of the application but at all times prior to approval.
Good Health

Applicants must demonstrate that they do not suffer from any contagious disease or any health condition that could become a significant burden on the Maltese health system.

Contribution to the National Development & Social Fund

To qualify for Maltese citizenship by investment, the main applicant is required to contribute at least €650,000 to Malta. Of this contribution, 70 per cent will go into the Fund set up by the Government of Malta and run by a board of trustees. The rest goes to the consolidated fund.

The Fund finances projects linked to education, public health, innovation, job creation and social projects.

Spouses and children are required to contribute €25,000; unmarried children between 18 and 25 and dependent parents must contribute €50,000 each.

Property Purchase or Rental

Applicants are required to make a property investment of at least €350,000 or enter a property rental contract for at least €16,000 p.a. both on 5-year contracts.

Investment in Bonds/Shares

Applicants are required to invest at least €150,000 in bonds or shares which are approved by the Maltese Government from time to time. The shares/bonds are to be kept for at least five years and must be invested in stocks sanctioned by the government as beneficial to the Island.

Residence Status

Malta is the only Citizenship by Investment Programme that enjoys EU approval.

The basis for obtaining this endorsement by the European Commission was the introduction of a ‘genuine link’ requirement, or the one year residence requirement. This period starts running from the first visit of the applicant who is issued a one year residence permit within an impressively short timeframe.

It is understood that HNWIs lead very international lives and would find it difficult spend a full year in any one country. Styled on the experience of the European Court of Justice, the genuine link test ensures that main and dependent applicants are able to demonstrate a genuine connection with the jurisdiction in their personal, social, philanthropic and commercial activities.

Persons being resident in Malta one year prior to IIP approval already satisfy this requirement.

Eligibility for Malta Citizenship

- Fit & Proper - clean criminal conduct, in good health
- Non-refundable contribution of €650,000 to Government Fund
- Investment in Government Bonds €150,000 for 5 years
- Investment in Property min. €350,000 for 5 years OR Rental of Property min. €16,000 for 5 years
- Genuine Link with Malta for 1 Year
- Eligible Dependents inc. unmarried children up to 25 yrs, parents over 55 yrs
Grounds for Refusal

- Providing false information
- Having a criminal record
- Potential national security threat
- Likely to cause disrepute to Malta
- Denied a visa to a country

Notwithstanding the above, Identity Malta will regard applicants on a case by case basis and may be satisfied that the applicant is still worthy of being considered for approval due to special circumstances. In the case of approval, Identity Malta must provide reasoned opinion why applicant should still be considered for approval and should refer the case to the Minister who has sole authority to approve.

Grounds for Revocation of Maltese Citizenship by Investment

The revocation ("deprivation") from Maltese citizenship is well regulated and is governed by the Maltese Citizenship Act. Legitimate grounds for deprivation of citizenship would be that:

- citizenship was acquired by means of fraud, false representation or the concealment of any material fact or
- such citizen would have spoken or acted in a disloyal manner towards the President or the Government of Malta or
- such citizen had engaged, unlawfully traded or communicated with an enemy or been engaged in or associated with any business that was motivated by willingness to assist an enemy in that war.

Various authorities on constitutional law have expressed their position on this subject, largely to the effect that it would be contrary to fundamental human rights for any government to issue a blanket revocation of citizenship based on its grant under IIP.

Taxation of New Citizens

The Maltese tax system subjects persons to tax on the basis of domicile and residence – not citizenship. The grant of Maltese citizenship to a non-domiciliary of Malta does not of itself, cause the beneficiary to acquire a new domicile of choice in Malta. Residence for tax purposes is established by demonstrating an intention to reside in Malta indefinitely and definitely on the basis of a day count of 183 days.

Remittance Basis of Taxation

Tax residents of Malta who are not domiciled in Malta are taxable on a remittance basis. Accordingly, non-doms who are resident in Malta are not taxable on foreign source income not received in Malta, nor on any capital gains arising outside Malta whether remitted or not. Tax is due only on a sources basis on income and capital gains arising in Malta. A non-resident citizen of Malta is only taxable in Malta on Malta source income.

Sale of Property

After the lapse of the obligatory 5 year period, property in Malta can be sold completely exempt from tax if such property is held for a period of 3 years as the resident’s sole and ordinary residence. If sold before the lapse of 3 years, a final property tax of 12% is chargeable on the selling price.

Other Tax Considerations

- No inheritance or death taxes
- No estate duty
- No net worth or wealth taxes
- No rates, municipal / real estate taxes.
Malta Citizenship Application Process

Application Time Line & Payments

1. **Apply for Residence**: applicants who are not yet resident in Malta are advised to start the process of residency to set the clock ticking on the 1 year residency requirement. A deposit on account of the €650,000 contribution is due at this stage, together with €5,000 for main applicant. €1,000 per dependent.

2. **Day 0**: Formal Application by Accredited Person: An application is formally submitted to Identity Malta with the essential supporting documents. Payments due now include the due diligence fees, passport fees and a deposit of €10,000 on account of the €650,000 contribution, less any payments made on applying for residency. Evidence of source of funds is to be presented at this stage.

3. **Day 90**: Identity Malta confirms whether the documentation submitted is formally in order, subject to a further month of further verifications.

4. **Day 120**: This is the approval of the process conditional only to the fulfilment of the obligations undertaken under the IIP.

5. **Day 125**: Identity Malta requests payment of remaining balance on contribution & passport fee.


7. **Day 240 Final Compliance**: Provide evidence of Property Purchase / Rental & €150K investment.

8. **Day 183; Issue of Certificate of Naturalisation** (maximum time to issue: 2 years). Subject to: Oath of Allegiance, 1 Year residence.

Our Malta Citizenship Services

Approved Agent

Applications for Maltese Citizenship by Investment are to be made to and processed wholly by Identity Malta. Applicants must be represented by an Accredited Person that is a licensed Maltese Authorised Registered Mandatory (ARM). Dr Jean-Philippe Chetcuti (Chetcuti Cauchi Advisors Ltd) holds licence no. IIP 001 and has satisfied the additional requirements imposed by the IIP Regulations over and above the requirements for ARMs under other legislation. The programme imposes more responsibilities on ARMs to ensure the highest standards of quality are maintained throughout the application process, for the protection and benefit of applicants and the reputation of the Maltese citizenship by investment programme.

Application Services

- Advising you on your chances of success before filing your application;
- Providing you with pre-immigration legal and tax advice;
- Guiding you with the preparation of supporting documentation;
- Vetting and preparing all supporting documentation for submission;
- Corresponding and liaising with the government authorities on your behalf during the application process;
- Application progress updates;

Other Malta Services

- Handling applications for work permits, uniform residence permits, HNWI and Global Residence Programme residence permits;
- Legal and notarial representation on purchase, rental and re-sale of property in Malta including applications for AIP permits (foreigners need AIP permit to purchase property in Malta), reviews of your contract;
- Co-ordination of architectural surveys & planning applications, referral to leading interior designers & turnkey providers for property conversions;
- Personal and corporate international tax planning;
- Dealing with all periodical tax matters including annual returns and tax payments;
- Drawing up of wills, international probate;
- Administration of estates, foundations, trusts;
- Advice on the formation & management of trading & holding companies in Malta;
- Yacht registration under the Malta flag & VAT planning.
Introduction to Cyprus

Cyprus has recently been ranked the 5th best relocation destination in the world by an international lifestyle review (source: 2014 report by Knight Frank, a leading independent, global real estate consultancy firm). Ranked by key business and leisure indicators, Cyprus was the only European country alongside Switzerland to make it into the top five – ahead of London, Madrid and Monaco. Cyprus ranked highly because of its favourable tax regime for new residents, particularly high net worth individuals. With at least 320 days of sunshine a year, Cyprus was classified the sunniest European location. Also noteworthy, are recent studies conducted by global immigration experts, ranking the Cyprus Citizenship by Investment program among the “top ten best in the world”.

Recent changes to Cypriot immigration policy and legal framework now enable non-EU applicants to obtain Cypriot citizenship on an expedited basis. There are a number of reasons the Cyprus Citizenship by Investment program is now considered to be one the most attractive in Europe.

Benefits of Cyprus Citizenship

Free Movement of Persons

The whole family can obtain Cyprus Citizenship i.e. the main applicant, his/her spouse, children under 18 years, adult dependents (18 to 27 years), as well as parents of the main applicant. This implies that families may travel, reside and work freely within the EU.

Free Movement of Services

Individual citizens and their companies can offer services within EU Member States without any obstacles.

Free Movement of Capital

Cypriot passport holders can transfer funds between EU Member States, purchase property in any preferred EU country and invest in any type of activities.

Free Movement of Goods

All goods produced in EU Member States can be freely transferred between countries of the EU.

No requirement to physically reside in Cyprus

The applicant and his/her dependants are not required to reside in Cyprus, they are only required to visit Cyprus once during the application process to have the biometrics registered.

Attractive Tax System

Cyprus is an attractive financial centre due to its highly favourable tax system and strategic location at the crossroads of three continents – Europe, Africa and Asia. Newly introduced ‘non-domicile’ regime results in zero taxation of worldwide dividends and interest income, for a period of 17 years.
High standard of living

Cyprus presents a high standard of living with access to reputable private schools, trustworthy private medical facilities and among the lowest crime rates within Europe.

Visa Free Travel

Cypriot passport holders may travel freely within the EU, and they may also travel without a visa to many non-EU countries.

Eligibility for Cyprus Citizenship by Investment

To qualify under the regulations, a Main Applicant for citizenship must be at least 18 years of age and must meet the requirements outlined below.

The main applicant may also add dependents to a citizenship application including his/her spouse and children, under certain conditions, to benefit under the Cyprus Citizenship by Investment Programme. Parents of the main applicant may also be included in the application.

“Children” includes those up to the age of 18 and children from the ages of 18-27 if they are financially dependent on the main applicant. Additionally, an investors’ child with severe physical or mental disability that makes him or her unable to work is also considered as financially dependent. Parents of the main applicant are eligible for citizenship, provided an additional investment of €500,000 in real estate is made.

Eligible Investments

The applicant may select between an investment in real estate amounting to €1.5 million or €2 million in other investment options.

Investment in real estate, land development and infrastructure projects

Invest at least €1.5 million in new land developments, which may include residential or commercial projects, as well as, infrastructure developments in the tourism sector.

Investment in financial assets of Cypriot companies or Cypriot organizations

Invest in companies established and operating in Cyprus with an investment of at least €2 million. The funds must be channelled towards investment exclusively in Cyprus and based on a specific investment plan. Such companies must have proven physical presence in Cyprus, with significant business activity and employs at least five (5) Cypriots or citizens of European Union Member States.
Investment in Alternative Investment Funds or financial assets of Cypriot companies licensed by the Cyprus Securities and Exchange Commission (CySec):

Invest €2million in Cyprus Alternative Investment Funds (AIF), which Funds must be licensed and supervised by the CySec.

Applicants may also opt for an investment in Cypriot public companies, which investment may take the form of bonds, bills or securities issued with the approval of the CySec. Such companies must have proven physical presence and substantial economic activity in Cyprus.

Combination of investments

The applicant may proceed to apply for Cyprus citizenship with a combination of the above investments, provided that the total investment amounts to €2million. When opting for a combination of investments, the applicant may also purchase up to €500,000 in Cyprus Government bonds, which must be retained for a 3 year period.

Cyprus Citizenship Application Process

Our Cyprus Citizenship Services

Applications for Citizenship by Investment are to be made to and processed wholly by the Ministry of the Interior.

Chetcuti Cauchi has long established itself as a leader in the field of immigration services, and we are well positioned to assist high net worth individuals in obtaining Cyprus citizenship.

Application Time Line & Payments

1. Evaluation: The Ministry of Finance evaluates whether the applicant meets the financial criteria as established by the Council of Ministers.

2. Investigation: Simultaneously, the Ministry of Interior investigates whether the applicant meets the other conditions for the granting of the citizenship including, acquisition of the residential property in Cyprus, and a clean criminal record etc.

3. Processing: Provided the applicant meets the financial criteria and all the conditions for the granting of the citizenship, the Ministry of Interior presents the case to the Council of Ministers for final decision.

4. Approval: Once the application is approved, the Civil Registry and Migration Department issues the Certificate of Naturalization, following the €5,000 payment that constitutes the Naturalization Certificate issuing fee.

We are pleased to be amongst the very few providers in Cyprus with actual experience preparing and submitting successful citizenship applications. We are also well positioned to facilitate the provision of additional services to clients filing their citizenship applications, including legal assistance, drafting and review of property acquisition agreements, organising property valuations and any other related services.

Through our extensive and well established network of property experts and real estate agents, we are also able to assist our clients with finding the right property matching their criteria, and ensure they are presented with properties that are good value for money. Unfortunately, this is the area where most pitfalls exist.
Application Services

- Advising you on your chances of success before filing your application;
- Providing you with pre-immigration legal and tax advice;
- Guiding you with the preparation of supporting documentation;
- Vetting and preparing all supporting documentation for submission;
- Corresponding and liaising with the government authorities on your behalf during the application process;
- Application progress updates.

Other Services

- Handling applications for work permits, and any type of residence permits;
- Legal and notarial representation on purchase, rental and re-sale of property in Cyprus, reviews of your contract;
- Co-ordination of architectural surveys & planning applications, referral to leading interior designers & turnkey providers for property conversions;
- Personal and corporate international tax planning;
- Dealing with all periodical tax matters including annual returns and tax payments;
- Drawing up of wills, international probate;
- Administration of estates, foundations, trusts;
- Advice on the formation & management of trading & holding companies in Cyprus;
- Yacht registration under the Cyprus flag & VAT planning.

Why Chetcuti Cauchi

Below is a point form introduction to our credentials in this area and highlights the importance we give to our citizenship and residence practice within the larger, full service environment we work in:

Fully Authorised by Government

- Dr Jean-Philippe Chetcuti, Managing Partner at CCA, was the first to be authorised by Identity Malta Agency (licence no. 001) under IIP Regulations.
- Chetcuti Cauchi Advisors Ltd is also a licensed Authorised Registered Mandatory (ARM), a requirement for residence applications under Maltese law.
- The firm was the first to be granted the status of ‘Approved Agent’ by Identity Malta Agency.

Law Firm

- Chetcuti Cauchi Advocates is a licensed law firm bound by professional secrecy: lawyer-client privilege is fully protected under Maltese law (unlike other non-law firm agents working in this space.)
- Offices within 1 minutes’ walk from Identity Malta Agency offices in Valletta.

Quality Service

- Full partner attention on all matters.
- Full concierge services available in a friendly and personalised environment.
- Full-service multi-disciplinary law firm specialising in using Malta in international legal and tax planning, company & trust formation & management.

Experience:

- Chetcuti Cauchi enjoys a sterling reputation in the areas of citizenship and residence planning, in the handling of legal and tax matters relevant to the structuring & planning of personal wealth and personal interests & business worldwide.
- Our Citizenship & Residence Planning team is led by partners Jean-Philippe Chetcuti, Charles Savva, Charlie Peter Savva, Priscilla Mifsud Parker & Kenneth Camilleri.
- Over ten years’ experience in citizenship and residency applications, specialising in citizenship planning in an international context.
- A 100% success rate in residence and citizenship applications, through an honest & professional pre-filing assessment of applicants & a problem solving approach.
Meet the Team

Partners

Dr Jean-Philippe Chetcuti
Tax, Immigration Partner

Mr Charles Savva
Tax, Immigration Cyprus Partner

Mr Charlie Savva
Partner, Cyprus Office

Dr Maria Chetcuti-Cauchi
Art, Cultural Property Partner

Dr Priscilla Mifsud-Parker
Tax, Trusts, Estates Partner

Mr Kenneth Camilleri
Tax, Aviation Partner

Ms Michelle De Maria
Tax, Partner

Dr Silvana Zammit
Commercial, Partner

Client Relationship Executives

Ms Claudia Cilia-Buhagiar
Client Relationship Executive

Ms Roberta Anastasi
Client Relationship Executive

Lawyers and Paralegals

Ms Marouska Farrugia
Sr Private Client Advisor

Dr Antoine Saliba-Haig
Legal Associate

Ms Pauline Gouder
Private Client Advisor

Ms Ekaterina Zammit
Legal Associate

Dr Stephanie Bonello
Legal Associate
### Key Contacts Profiles

**Dr Jean-Philippe Chetcuti**  
Tax, Immigration Partner  
jpc@cclex.com

- Tax & Immigration Lawyer, advisor to HNWIs, their advisors & Family Offices.  
- Managing partner, CCA  
- Member, AILA American Immigration Lawyers Association (International Chapter)  
- Member, IBA International Bar Association (Immigration & Nationality Law Committee)  
- Chairman, STEP Society of Trust & Estate Practitioners

**Mr Charles Savva**  
Cyprus Tax, Immigration Partner  
csavva@cclex.com

- Partner, CCA  
- Managing Partner, Cyprus  
- UK Chartered Accountant  
- Head, Cyprus tax advisory & immigration practice  
- Board Member, Cyprus-Canada Business Association  
- Member, Society of Trust and Estate Practitioners

**Mr Charlie Savva**  
Partner, Cyprus Office  
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- Partner, CCA  
- Canada Chartered Accountant  
- Canada International tax specialist

**Dr Priscilla Mifsud-Parker**  
Tax, Trusts, Estates Partner  
pmp@cclex.com

- Executive Committee Member, IFSP Institute of Financial Services Practitioners  
- Co-founder, Secretary, MAFE Malta Association of Family Enterprises, which he represents at the European Family Business Association.  
- Private clients lawyer specialising in immigration law and in trusts and estates.  
- Partner, CCA  
- Member, Maltese Chamber of Advocates  
- Technical, STEP Society of Trust & Estate Practitioners

**Ms Michelle de Maria**  
Tax, Partner  
mdm@cclex.com

- Tax advisor specialising in international tax planning and cross border personal taxation  
- Member, Tax sub-Committee Institute of Financial Service Practitioners IFSP  
- Member, International Tax Planning Association (ITPA)  
- Member, Malta Institute of Taxation  
- Associate, Institute Of Chartered Secretaries & Administrators (ICSA)
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Dr Silvana Zammit
Commercial Law, Partner
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- Partner, CCA
- Commercial lawyer specialising in gaming law and transport matters
- Member, Chamber of Advocates
- Member, Malta Association of Family Enterprise (Co-Founder and Secretary)
- Member, Finance Malta Foundation
- Member, International Fiscal Association
- Member, Malta Institute of Taxation
- Member, International Tax Planning Association
- Member, Institute of Financial Services Practitioners
- Member, Society for Trusts & Estate Practitioners (STEP) Malta Branch

Dr Maria Chetcuti-Cauchi
Art, Cultural Property Partner
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- Regulated Business, IP, Art & Cultural Property Lawyer
- Senior partner, CCA
- Registered trademark & patent attorney in Malta & in the EU
- Approved EPO European Patent Attorney
- Member, Institute of Financial Services Practitioners, Society for Trusts & Estates Practitioners, Chamber of Advocates
- Member, International Trademark Association, Remote Gaming Council
- Government Advisor, Malta Remote Gaming Regulations
- Engaged by Government for the Digitalisation of the Domestic Patent Database for Malta Enterprise
- Advisor, Malta Enterprise on the Roche Bolar Exemption for the Pharma Industry
- Advisor, Malta Council for Science & Technology

Mr Kenneth Camilleri
Tax, Aviation Partner
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- Tax advisor & CPA
- Partner at CCA
- Member, IFSP Institute of Financial Services Practitioners, Tax Subcommittee.
- Member, MIT Malta Institute of Taxation, MIA Malta Institute of Accountants
- Member, ITPA International Tax Planning Association

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Testimonials

Below is a snapshot of what clients, firms, and independent directories say about us:

“Jean-Philippe was a key advisor to me on the general European and in particular Maltese related tax, legal, accounting and secretarial aspects of a rather complex corporate group structure. We were operating in an extremely dynamic situation, and I was most grateful for his patience and understanding when we had to scrap the last idea and start all over again. He is highly professional, responsive and is excellent at finding practical solutions to difficult situations, whatever the time of day or night. He also has an excellent relationship with his team, and the service provided by his firm is intelligent, joined up and seamless. He is good humoured and imminently likeable and I look forward to working with him again in the future”.

Marie Joyce
Group Commercial Director at NTR plc

“Chetcuti Cauchi Advocates attracts praise for its ‘team of highly experienced and knowledgeable property practitioners, whose input enables smooth and problem-free completion of transactions’. In 2013, it advised Melita Business Centre on the conversion of two properties from temporary to perpetual ground rent. Managing partner Jean-Philippe Chetcuti heads the team, which includes the ‘practical’ Silvana Zammit, who has ‘very good negotiating skills’.”

Legal 500 Directory

“Chetcuti Cauchi Advocates’ ‘professional and responsive’ team is recommended for its ‘great technical and regulatory knowledge’, which it uses to advise fund managers, investments advisers and forex brokers. Practice head Charles Cassar shows ‘innate understanding of the requirements to get the job done’.”

Legal 500 Directory

“Perfect profile for servicing private client needs, with a very high level of professional services and quick reaction to queries. One of the best providers to work with in Malta.”

Elene Bruggisser,
Managing Director at Family Office Services (FOS) Pte Ltd
CONTACT DETAILS

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