

## Valuation of shares and securities (S.548)

### Part 19-04-02

This document should be read in conjunction with section 548 of the Taxes Consolidation Act 1997

Document reviewed April 2022

Does not reflect current Revenue position.

## Introduction

**Section 548 of the Taxes Consolidation Act 1997 (“TCA 1997”)** contains rules for determining the market value where this is required for Capital Gains Tax (“CGT”) purposes. The situations where the market value of an asset is of importance for CGT purposes include transfers by gift and other transfers by means of bargains not at arm’s length, certain disposals and reacquisitions of trust assets and cases where gains or losses on the disposal of an asset are to be computed by reference to market value at 6 April 1974.

### 2.1 Market value

For the purpose of deemed disposals and the computation of gains accruing on or after 6 April 1974, in the case of shares and securities held on that date, it is necessary to ascertain the market values of such assets at the relevant dates.

While the ordinary rules of valuation apply to "unquoted" shares and securities (see [Tax and Duty Manual \(TDM\) Part 19-04-01](#)), formulae based on Stock Exchange prices are provided for “quoted” shares and securities (**section 548 TCA 1997**).

There are differences in the manner in which prices are fixed, and consequently different valuation rules apply for shares or securities listed in the Irish Official List and those quoted on the Stock Exchange Daily Official List (London floor).

### 2.2 Irish and UK quoted shares

Except for bargains done at special prices (which are clearly marked as such in the Stock Exchange Official Lists), the market value of shares and securities quoted on the Stock Exchange is determined as follows -

#### 2.2.1 Official List Irish

The valuation is based on the lower of either:

- the price at which bargains were last recorded (the previous price) or,
- where bargains were recorded on the date,
  - the price so recorded, or
  - if more than one, a price halfway between the highest and lowest prices so recorded.

#### 2.2.2 Daily Official List (London Floor)

The valuation to be taken is the lower of the two prices shown in the quotations plus one-quarter of the difference between the two prices. Where, however, bargains are recorded for the relevant date, the price recorded (or a price halfway between the

lowest and highest prices recorded) is to be taken if lower than the valuation based on quotations.

Where shares or securities are listed on both lists on the same date, provision is made for taking the lower relevant valuation.

The same principles should be applied where another branch of either Stock Exchange affords a more active market.

If the Stock Exchange is closed on the relevant date, the market value should be ascertained by reference to the latest previous date or earliest subsequent date on which it is open, whichever affords the lower market value.

### 2.3 Dividends or interest on shares and securities

Dividends or interest on shares and securities are payable to the person who is the registered holder on a particular date. During a short period before the due date of payment of the dividend, the shares or securities are dealt in "ex-dividend", i.e. the seller sells the shares or securities but retains the right to the dividend or interest.

Where the Stock Exchange quotation is "ex-dividend", that quotation should be used. Any lowering of the price received because of the retention of the dividend (which will reduce the gain or increase the loss) will be more or less balanced by the income received.

### 2.4 Ex-rights

Shares may be similarly quoted in the Stock Exchange Official Lists "ex-rights" or "ex-capitalisation", i.e. excluding the right to a rights issue or a bonus (or script or capitalisation) issue. As the seller of those shares retains the right to any rights or bonus issue (see [TDM Part 19-04-07](#)), the market value on any day (and, in particular on 6 April, 1974) of shares in the hands of a person who bought them before they became quoted "ex-rights" is the sum of the value based on the "ex-rights" quotation and the market value of the "rights" in the shares or securities about to be issued. If the person bought the shares excluding those "rights", the market value of the shares is the value based on the quotation.

Where shares which were bought before a date when dealings became "ex-rights" are sold excluding those "rights", there is a part disposal which should be dealt with in accordance with [TDM Part 19-01-04](#).

### 2.5 Separate valuations

Each disposal other than a sale at arm's length of "unquoted" shares or securities requires a separate valuation.