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Quick Tax Guide 2019/20
South Africa

Making an impact that matters

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Individuals

Tax Rates and Rebates

Individuals, Estates & Special Trusts (1) (Year ending 29 February 2020)

Taxable income	Rate of tax
R0 – R195 850	18% of taxable income
R195 851 – R305 850	R35 253 + 26% of taxable income above R195 850
R305 851 – R423 300	R63 853 + 31% of taxable income above R305 850
R423 301 – R555 600	R100 263 + 36% of taxable income above R423 300
R555 601 – R708 310	R147 891 + 39% of taxable income above R555 600
R708 311 – R1 500 000	R207 448 + 41% of taxable income above R708 310
R1 500 001 and above	R532 041 + 45% of taxable income above R1 500 000

Note (1): Trusts for the benefit of ill or disabled persons and testamentary trusts established for the benefit of minor children.

Rebates		
Primary Rebate:	All individuals	R14 220
Age Rebate(s) *:		
Secondary Rebate	Age 65 and older	R7 794
Tertiary Rebate	Age 75 and older	R2 601

Additional to Primary Rebate.

Tax Threshold	
Below age 65	R79 000
Age 65 and older	R122 300
Age 75 and older	R136 750

Exemptions

Interest Exemption - Local Interest	
Individuals under 65 years of age:	R23 800 per annum
Individuals over 65 years of age	R34 500 per annum

Interest earned by a non-resident is exempt unless the non-resident was physically present in South Africa (SA) for more than 183 days during the 12-month period preceding the date on which the interest is received or accrued, or the debt from which the interest arises is effectively connected to a permanent establishment (PE) of that person in SA.

Dividends
Subject to certain exceptions, local dividends are fully exempt from income tax in the hands of the recipient. However, see comments below in respect of WHT on dividends in the form of a dividends tax. Foreign dividends are subject to income tax in the hands of a South African shareholder, but exempt if the shareholder holds at least 10% of the equity shares and voting rights in the foreign company declaring the dividend. Foreign dividends received by individuals from foreign companies are taxable at a maximum effective rate of 20%. No deductions are allowed for expenses incurred to produce foreign dividends.

Tax-free investments
Amounts received by or accrued to an individual in respect of particular prescribed investment instruments and policies are exempt. Contributions to these prescribed investments/policies are subject to an annual limit of R33 000. Currently, a R500 000 lifetime limit applies.

Remuneration for services rendered outside South Africa
With effect from 1 March 2020, SA residents working abroad for more than 183 days over a 12-month period, and for a continuous period of more than 60 days during that period, are exempt from income tax on remuneration for services rendered while abroad, to the extent that the remuneration does not exceed R1 million (the R1 million threshold does not apply prior to 1 March 2020). Government proposes to allow the foreign taxes withheld on such remuneration as a credit against the employees' tax ("PAYE") payable in South Africa (but further workshops will be held to address any administrative concerns).

Deductions and Tax Credits

Medical expenses
- Medical scheme fees tax credit:
  Monthly credit of R310 each for the taxpayer and his/her spouse (or first dependant), and a further R209 for every additional dependant.
- Taxpayers 65 years (or older) and taxpayers with a disability (taxpayer, spouse or child):
  - 33.3% of the amount of contributions to a medical scheme as exceeds 3 times the medical scheme fees tax credit.
  - 33.3% of qualifying medical expenses paid and borne by the individual.
- Taxpayers under 65 years:
  - 25% of the aggregate of the amount of fees paid to a medical scheme as exceeds 4 times the medical scheme fees tax credit and qualifying medical expenses as exceeds 7.5% of taxable income (before medical deduction and excluding retirement lump sum benefits).

Retirement fund contributions
- A taxable fringe benefit will arise in the hands of the employee in relation to an employer's contribution to a retirement fund.
- Individuals will be able to claim a deduction limited to the lesser of:
  - R350 000; or
  - 27.5% of the higher of their remuneration or their taxable income, excluding certain amounts, for contributions to pension, provident and retirement annuity funds

Any excess may be carried forward to the following year of assessment.

Donations
Donations to certain approved public benefit organisations (PBOs) are tax deductible. The tax deduction is limited to 10% of taxable income before donations (excluding retirement fund lump sums and severance benefits). These organisations include most welfare, health care, education and development, land and housing, conservation, environmental and animal welfare organisations, with certain exceptions. Any excess may be carried forward and is treated as a donation made in the subsequent year.

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Benefits and Allowances

Travel allowances

The following table sets out the three components of the rates which may be used in determining the cost of business travel, where actual costs are not used. PAYE is withheld from 80% of travel allowances (20% is allowed in some circumstances):

Value of the vehicle (incl. VAT) (R)	Fixed cost (R p.a.)	Fuel cost (c/km)	Maintenance cost (c/km)
0 – 85 000	28 352	95.7	34.4
85 001 – 170 000	50 631	106.8	43.1
170 001 – 255 000	72 983	116.0	47.5
255 001 - 340 000	92 683	124.8	51.9
340 001 - 425 000	112 443	133.5	60.9
425 001 - 510 000	133 147	153.2	71.6
510 001 - 595 000	153 850	158.4	88.9
Exceeding 595 000	153 850	158.4	88.9

* If the travel allowance is applicable to a portion of the tax year, the fixed cost is reduced proportionately.

** Where the travel allowance is based on actual distance travelled by the employee for business purposes, no tax is payable on an allowance paid by an employer to an employee, up to the rate of 361 cents per kilometre regardless of the value of the vehicle. This alternative is not available if other compensation in the form of an allowance or reimbursement (other than for parking or toll fees) is received from the employer in respect of the vehicle.

*** The logbook method to claim business travelling expenses is compulsory.

Company car fringe benefit

Determination of the taxable value for all vehicles provided by an employer is as follows:

No maintenance plan	3.5% per month x determined value (retail market value as determined by Regulation)
Maintenance plan	3.25% per month x determined value (retail market value as determined by Regulation)
Held under operating lease	Costs incurred by employer under the lease plus fuel costs

The benefit will be reduced by any consideration paid by the employee (other than consideration relating to insurance, licensing, maintenance or fuel) for which there are specific deductions available.

On assessment, the fringe benefit is reduced for business use where an employee can furnish accurate records of distances travelled for business purposes and total distances travelled. The taxable fringe benefit is also reduced where the employee has borne the full expenditure relating to maintenance, licensing, insurance or fuel in relation to the company car, and has kept accurate details thereof. 80% of the fringe benefit will be included in remuneration for PAYE purposes. This monthly fringe benefit inclusion may be reduced further where employees travel extensively for business.

Residential accommodation

The taxable fringe benefit to be included in gross income will ordinarily be calculated by applying a prescribed formula, but it will comprise the lower of the formula and the cost to the employer in circumstances where the employer supplied accommodation that was obtained under an arm's length transaction with an independent third party.

No taxable fringe benefit will apply in certain circumstances, including in the case of accommodation provided to employees who are away from their usual place of residence within SA or their usual place of residence outside SA (i.e. in respect of expatriate employees), subject to certain conditions and limitations.

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Subsistence allowances

Subsistence allowances are tax-free if they are granted to an employee who is obliged to spend at least one night away from his usual place of residence whilst on business and if they do not exceed the following amounts:

Meals and incidental costs per day (Republic)	Meals and incidental costs per day (outside Republic)	Incidental costs per day
R435	Varying amounts	R134

Interest-free or low-interest loans

The difference between interest charged at the official rate and the actual amount of interest charged, is to be included in gross income as a taxable fringe benefit. It is proposed that loans granted to employees of up to R450 000 for the acquisition of immovable property may not be taxable as a fringe benefit, subject to certain criteria.

Retirement Fund Lump Sum Withdrawal Benefits

Lump sum benefits in consequence of the withdrawal of membership of a retirement fund, including amounts assigned in terms of divorce settlements in certain circumstances, other than death/retirement lump sum benefits, are taxed according to the following table:

Taxable income from withdrawal benefits	Tax payable
R0 - R25 000	0% of taxable income
R25 001 – R660 000	18% of taxable income above R25 000
R660 001 – R990 000	R114 300 + 27% of taxable income above R660 000
R990 001 and above	R203 400 + 36% of taxable income above R990 000

Note: Taxable income is cumulative and includes all lump sum payments whether on retirement (after 1 October 2007) or withdrawal (after 1 March 2009), or a severance benefit (after 1 March 2011).

Severance Benefits and Retirement Fund Lump Sum Benefits

Severance benefits are lump sums received by employees from employers in respect of the relinquishment or termination of employment for the following reasons

- Attaining the age of 55 years.
- Due to incapacity through sickness or other ailment.
- Retrenchment due to cessation of trade or general reduction in staff.

Severance benefits and lump sum awards following death, retirement or retrenchment are taxed according to the following table:

Taxable income from severance benefits	Tax payable
R0 – R500 000	0% of taxable income
R500 001 - R700 000	18% of taxable income above R500 000
R700 001 – R1 050 000	R36 000 + 27% of taxable income above R700 000
R1 050 001 and above	R130 500 + 36% of taxable income above R1 050 000

Note: Taxable income is cumulative and includes all lump sum payments whether on retirement (after 1 October 2007) or withdrawal (after 1 March 2009), or a severance benefit (after 1 March 2011).

Companies and Trusts

Tax Rates

(Unless otherwise stated, financial years ending on any date between 1 April 2019 and 31 March 2020)

Basic rate (other than entities specified below)	28%
Companies in certain special economic zones	15%
Trusts (other than special trusts)*	45%

* Years of assessment ending during the period of 12 months ending on 28 February 2020.

- Small business corporations (annual turnover of R20 million or less):

Taxable income	Rate of tax
R0 – R79 000	0 % of taxable income
R79 001 – R365 000	7% of taxable income above R79 000
R365 001 – R550 000	R20 020 + 21% of taxable income above R365 000
R550 001 and above	R58 870 + 28% of the amount above R550 000

- Elective presumptive turnover tax for micro-businesses (qualifying annual turnover of R1 million or less)*:

Taxable turnover	Rate of tax
0 – R335 000	0% of taxable turnover
R335 001 – R500 000	1% of the amount above R335 000
R500 001 – R750 000	R1 650 + 2% of the amount above R500 000
R750 001 and above	R6 650 + 3% of the amount above R750 000

Note: Qualifying micro-businesses are able to pay turnover tax, VAT and employees' tax twice a year
* Years of assessment commencing on 1 March 2019 or ending on 29 February 2020.

- Long-term insurers:
  - Individual policyholder fund 30%
  - Company policyholder fund and risk fund 28%
  - Corporate fund 28%
  - Untaxed policyholder fund 0%
- Gold mining companies:
  - On gold mining income 34 - (170/x)*

* Where "x" is the ratio of taxable income from gold mining to income from gold mining, expressed as a percentage.
  - On other income 28%
- Foreign resident companies earning SA source income: 28%
- PBOs and recreational clubs*: 28%

* Annual trading income exemption for PBOs and recreational clubs are greater of 5% of total receipts/accruals or R200 000 and 5% of total membership/subscription fees or R120 000 respectively.

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Capital Allowances

Buildings

- Industrial (manufacture or similar process):
  - Commenced 1/7/96 – 30/9/99 — 10%
  - After 1 January 1989 — 5%
  - Other — 2%
- New and unused commercial buildings (and improvements): — 5%

Intellectual property (see also Research and development)

- Costs incurred in acquiring (i.e. other than developing or creating):
  - Inventions, patents or copyrights — 5%
  - Designs — 10%

Note: Costs not exceeding R5 000 may be deducted in full. No deduction is available in respect of trademarks.

Research and development (R&D)

Costs incurred in any year of assessment:

Systematic investigative or experimental activities of which the result is uncertain for discovering non-obvious scientific or technical information, or creating any invention, design, computer program or essential knowledge, specified improvements to the above, certain pharmaceutical products and clinical trials	150%

New or unused machinery, plant, implement, utensils or article or improvements thereto brought into use for the first time for R&D purposes:	50%/30%/20%

Note: The R&D must be approved by the Minister of Science and Technology in advance to qualify for the enhanced allowance of 150%. To the extent that government grants are received to fund R&D, the expenditure so incurred does not qualify for the additional 50% allowance. Certain activities are excluded.

Plant and machinery

Manufacturing or similar process (new only)	40%/20%/20%/20%
Industrial policy projects (additional investment allowance):	
- Preferred status	*55%*
- Preferred status in IDZ (SEZ)	*100%*
- Other	*35%*
- Other in IDZ (SEZ)	*75%*
Renewable energy technology equipment	50%/30%/20%
Small business corporations:	
- Manufacturing assets	*100%*
*- Other depreciable assets**	*50%/30%/20%*

* General depreciation regime optional.

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Movable capital assets

Assets that are not subject to other capital allowances: Wear-and-tear at rates in terms of Interpretation Note No.47 (Issue 3) may apply. Any asset costing R7 000 or less may be written off in the year in which it is acquired.

Older buildings, plant, aircraft and ships and R&D assets

These may be subject to allowances at different rates.

Employees' Tax

Employees' tax is withheld by an employer from remuneration paid to an employee.

Note: All allowances paid to an employee (except subsistence allowances and fixed and/ or reimbursive travel allowances) are subject to employees' tax in full or according to a formula.

Skills Development Levy (SDL)

SDL is levied at 1% on remuneration payable. Employers with annual payroll of less than R500 000 are exempt, as well as certain approved PBOs. Generally, the total value of remuneration paid is used to calculate the levy, but it excludes amounts paid to independent contractors, reimbursement payments to employees, pensions paid and remuneration of learners under contract.

Unemployment Insurance Fund (UIF) Contributions

UIF contributions are payable monthly by employers on the basis of a contribution of 1% by employers and 1% by employees, based on employees' remuneration below a certain amount (currently R14 872). Employers not registered for PAYE or SDL purposes must pay the contributions to the Unemployment Insurance Commissioner.

Employment Tax Incentive (ETI)

Employers of qualifying employees (e.g. employees between the age of 18 and 29 years) may be eligible for a rebate / refund of employees' tax as follows:

- First twelve months of qualifying employee's employment:
  - 50% of an employee's monthly remuneration up to R2 000 per month. (This would only be applicable if the minimum wage prescribed by the relevant sector determination or bargaining council agreement was less than R2 000 per month).
  - For an employee with a monthly remuneration of between R2 000 and R4 500, the incentive will be R1 000 per month.
  - For employees with monthly remuneration of between R4 500 and R6 500, the value of the incentive will be between R1 000 and zero per month, as determined in terms of a formula.
- Second twelve months of qualifying employee's employment: Half of the amounts mentioned above.

It is proposed that the ETI be extended by 10 years until 28 February 2029.

Other Taxes, Duties and Levies

Withholding Taxes (WHTs)

Dividends tax

Dividends tax (DT) must be withheld from dividends at a rate of 20% by local companies and foreign companies on shares listed on the Johannesburg Stock Exchange (JSE). The rate may be reduced in terms of Double Taxation Agreements (DTAs). Exemptions apply for domestic retirement funds, PBOs and domestic companies. Certain requirements have to be complied with in order for the exemption or reduced rate to apply.

Other payments to non-residents#

Royalties*	15%
Interest**	15%
Sportsmen and entertainers who perform in SA	15%
Fixed property acquired in SA from a seller that is a non-resident:	
If the non-resident is a natural person	*7.5%*
If the non-resident is a company	*10%*
If the non-resident is a trust	*15%*

Note: WHT is not payable on fixed property if the total amount payable for the immovable property does not exceed R2 million.

Certain of these rates may be reduced by DTAs.
* The WHT on royalties is a final tax levied at 15% (prior to 1 January 2015, 12%). The WHT does not apply to amounts derived by non-resident companies from a branch or agency in South Africa, or to amounts relating to the use of certain copyrights in printed publications, or royalties paid to any controlled foreign company.
** The WHT on interest is effective from 1 March 2015. Certain exemptions apply (e.g. government bonds, listed debt and local collective investment schemes).
*** South Africa does not levy withholding tax on service fees. Certain transactions may however give rise to a requirement to formally report the arrangement to SARS.

Capital Gains Tax (CGT)

Inclusion rates*	
Individuals, special trusts and individual policyholder funds	40%
Other taxpayers	80%

Exclusions	
Individuals, special trusts and individual policyholder funds	R40 000
Companies	nil
Individuals in year of death	R300 000
Primary residence exclusion on the disposal of a primary residence	R2 million gain/ loss
Small business assets (persons over age 55 and market value of assets not more than R10 million)	R1.8 million

Value-Added Tax (VAT)

Rates: 15% and 0%

The VAT registration threshold is R1 million of taxable supplies per annum. A vendor making taxable supplies of more than R50 000, but not more than R1 million per annum, may apply for voluntary registration. Non-residents that carry on an enterprise in SA are required to register. Certain supplies are zero-rated or exempt from VAT. Taxable services will now include cloud computing and services provided using online applications.

A regulation setting out the scope of electronic services that will fall in the VAT net will be applicable from 1 April 2019.

Provisional Tax

A provisional taxpayer is a company or any person that earns income other than remuneration or an allowance/advance payable by the person's principal. It also includes any person who earns remuneration from an employer not registered for PAYE.

Provisional tax payments (made twice per annum) represent tax on expected income. For taxpayers with taxable income of less than R1 million, the second provisional payment must equal the lower of the "basic amount" (calculated with reference to the previously assessed income for the latest tax year) or 90% of actual taxable income. For taxpayers with taxable income of more than R1 million, an estimate that is equal to at least 80% of the taxable income for the year is required for the second provisional tax payment. A penalty will be levied if the estimate does not meet the required percentage of actual taxable income.

Donations Tax

Value of donation	Rate
R0 to R30 000 000	20% on the value of property donated
Exceeding R30 000 000	25% on the value of property donated

Exemptions include (among others): R100 000 per annum (individuals), R10 000 per annum (private companies), donations between spouses, donations to approved PBOs and recreational clubs, donations by public companies and donations between SA resident group companies, etc.

Estate Duty

Value of estate	Rate
R0 to R30 000 000	20% of the dutiable amount of a deceased estate
Exceeding R30 000 000	25% of the dutiable amount of a deceased estate

Estate duty is levied on the dutiable amount of a deceased estate (property of residents and SA property of non-residents). Deductions include: a standard deduction of R3.5 million per estate (R7 million for a married couple) and certain other deductions, the most important of which is the deduction for property accruing to a surviving spouse.

Transfer Duty

Paid on acquisition of immovable property where the transaction is not subject to VAT. Transfer duty is also payable on the acquisition of residential property through an interest in a company or trust. The rates of duty are as follows:

Value of property	Rate
R0 to R900 000	0% of property value
R900 001 to R1 250 000	3% of property value above R900 000
R1 250 001 to R1 750 000	R10 500 + 6% of property value above R1 250 000
R1 750 001 to R2 250 000	R40 500 + 8% of property value above R1 750 000
R2 250 001 to R10 000 000	R80 500 + 11% of property value above R2 250 000
10 000 001 and above	R933 000 + 13% of the value exceeding R10 000 000

Securities Transfer Tax (STT)

STT is a tax levied on the transfer or cancellation of any listed and unlisted security. The STT rate is 0.25%.

Health Promotion Levy

The Health Promotion Levy, which taxes sugary beverages, was implemented on 1 April 2018. The levy is 2.1c/gram for sugar content in excess of 4g/100ml (the first 4g/100ml being levy free). It is proposed that this levy will increase to 2.21c/gram for sugar content in excess of 4g/100ml from 1 April 2019.

Carbon Fuel Levy

A carbon fuel levy of 9c per litre for petrol, and 10c per litre for diesel, will be introduced with effect from 5 June 2019. This levy will be collected as part of fuel levies.

Carbon Tax

Carbon tax will be implemented on 1 June 2019.

The proposed carbon tax is R120 per ton of CO_2e for emissions above the tax free threshold. A Carbon Tax Bill (and Explanatory Memorandum thereto) was published in November 2018 which details the mechanics of this tax.

Exchange Control

<table>
<tr><th>Individuals</th><th>Allowance</th></tr>
<tr><td rowspan="3">Individuals are entitled to an annual allowance of R10million which does not require exchange control approval.

The Financial Surveillance Department of the South African Reserve Bank (SARB) will consider applications in excess of R10 million subject to conditions.</td><td>Foreign capital/investment allowance:
- Natural persons: R10 million per calendar year or upon emigration, or R20 million per family unit.
- No exchange control approval required.</td></tr>
<tr><td>Single discretionary allowance:
- The annual R1 million allowances may be used for any legal purposes abroad.</td></tr>
<tr><td>Travel allowance (18 years and under):
- The annual allowance is R200 000.</td></tr>
<tr><th>Corporates</th><th></th></tr>
<tr><td colspan="2">• No approval from the SARB is required for companies wanting to invest
• R1 billion or less (per year per application). However, authorised dealers will be required to ascertain whether the company meets certain criteria.
• The dispensation for credit card usage, previously limited to individuals, is applicable to corporates.</td></tr>
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This guide is based on the Budget proposals tabled in Parliament by the Minister of Finance on 20 February 2019. These proposals are, however, subject to approval by Parliament. The information contained in this guide is for general guidance only and is not intended as a substitute for specific advice in considering the tax effects of particular transactions. While every care has been taken in the compilation of the information contained herein, no liability is accepted for the consequences of any inaccuracies contained in this guide.