

**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**SOUTH AFRICAN REVENUE SERVICE****NOTICE 1171 OF 2015****LANGUAGE POLICY OF THE SOUTH AFRICAN REVENUE SERVICE PUBLISHED IN TERMS OF SECTION 4(2)(h) OF THE USE OF OFFICIAL LANGUAGES ACT, 2012 (ACT NO.12 OF 2012)**

In terms of section 4(2)(h) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012), I, Thomas Swabihi Moyane, Commissioner for the South African Revenue Service, hereby publish the Language Policy of the South African Revenue Service (SARS), as adopted on 13 May 2015, in the Schedule hereto.

**TS MOYANE****COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE**

## SCHEDULE

### LANGUAGE POLICY OF SOUTH AFRICAN REVENUE SERVICE

#### 1. PREAMBLE

The Constitution of the Republic of South Africa, 1996 (hereinafter referred to as "the Constitution") provides for 11 official languages; recognises the diminished use and status of indigenous languages and requires the State to take practical and positive measures to elevate the status and advance the use of indigenous languages. The Constitution further requires all official languages to enjoy parity of esteem and to be treated equitably.

To this end, the Use of Official Languages Act, 2012 (Act No. 12 of 2012) (hereinafter referred to as "the Act") has been assented to, *inter alia*,—

- to provide for the regulation and monitoring of the use of official languages by national government for government purposes;
- to require the adoption of a language policy by a national department, national public entity and national public enterprise;
- and to provide for the establishment of a language unit for a national department, national public entity and national public enterprise.

The South African Revenue Service (hereinafter referred to as "SARS"), listed as a national public entity in Schedule 3 to the Public Finance Management Act, 1999 (Act No. 1 of 1999), has therefore developed this Language Policy in compliance with the Act.

## **2. PURPOSE**

The purpose of this SARS Language Policy is to outline how SARS will comply with the provisions of the Act, and use South Africa's 11 official languages to improve service to taxpayers and compliance levels.

## **3. SCOPE**

The provisions of this policy are applicable to all SARS employees and members of the public interacting with SARS.

## **4. NATURE OF SARS**

SARS is the country's revenue collecting authority. Established in terms of the South African Revenue Service Act, 1997 (Act No. 34 of 1997) as an autonomous agency, SARS is responsible for administering the South African tax system and customs service. SARS has a customer service presence in every province through its branches and ports of entry.

## **5. STRATEGIC CONTEXT**

SARS is committed to maximising electronic transactions with taxpayers for purposes of efficiency and effectiveness, greater compliance and improved service delivery. Hence SARS has been steadily doing away with the need to print forms and returns, preferring that taxpayers submit information electronically. While other channels of interacting with SARS are still available, such as our branches, the interaction there too is largely electronic with direct interaction over the counter with a SARS employee with direct capturing on to our systems, again reducing the need to print forms or returns.

## **6. OFFICIAL LANGUAGES**

SARS will endeavour to use all 11 official languages as its languages for government purposes, with the following understanding:

6.1 English, isiZulu, Sesotho and Afrikaans will be phased in as the chosen national languages for government purposes.

6.2 Due to practicalities such as systems, efficiency, budget, the constraints of African language terminology and current language capability within SARS, all electronic

platforms, including eFiling, e@sy File, the SARS website, the SARS intranet, as well as human resources, procurement and financial systems will be in English.

6.3 The transactional language of the organisation for external and internal operational purposes with staff, taxpayers and other stakeholders will be English.

## 7. USAGE

SARS will phase in the following measures:

7.1 External marketing communication with citizens will be done at a provincial level in accordance with the following languages per province (subparagraph (2) below), depending on the content of the communication, form of the communication, target audience of the communication, feasibility and cost effectiveness.

7.2 It is important to note that English, being the transactional language, will have a presence in all provinces. Below are the chosen languages per province:

- Eastern Cape: isiXhosa, Afrikaans, English
- Free State: Sesotho, Afrikaans, English
- Gauteng: isiZulu, English, Afrikaans, Sesotho
- KwaZulu Natal: isiZulu, English
- Limpopo: Sepedi, Xitsonga, Tshivenda, English
- Mpumalanga: siSwati, isiZulu, Xitsonga, isiNdebele, English
- North West: Setswana, Afrikaans, English
- Northern Cape: Afrikaans, Setswana, English
- Western Cape: Afrikaans, isiXhosa, English

7.3 The income tax return (ITR12) – the main income tax return for individual taxpayers –will be made available in all 11 official languages through the SARS Contact Centre self-service option (IVR). These printed forms will be sent to taxpayers who requested them via the Contact Centre. It must be noted that communication with a Contact Centre Agent will be in English.

7.4 SARS staff will endeavour to assist taxpayers across the counter in a branch in the official languages of the province where the branch is situated depending on the staffing and capacity regime in each branch.

7.5 A taxpayer, who wants written or published information in an official language, where that communication or information is not being provided in that language, may request that such communication or information be provided in such official language.

7.6 Such request must be in writing in the language being requested and received by SARS at least 60 days prior to the communication or information being required.

7.7 Customs staff at ports of entry will be able to assist travellers in English and the official languages of the province in which the port is situated, depending on the staffing and capacity regime at the port.

7.8 SARS will publish specific notices in relevant foreign languages at ports of entry.

7.9 English will be used in hearings and other official proceedings unless there is a request to provide interpretation services in another official language.

7.10 SARS will use South African Sign Language interpretation at branches on a rotational basis and according to a predetermined schedule. SARS will also make documents in Braille available on request. SARS will in future also provide sign language versions of educational videos when these are produced for tax education purposes.

## **8. LANGUAGE UNIT**

SARS will provide resources for the establishment of a SARS Language Unit, which will be part of the Communication division.

## **9. ACCESS**

9.1 SARS will publish this policy in all official languages on the SARS website from where it can be downloaded.

9.2 In addition, printed summaries will be available in all official languages at SARS branches and ports of entry.

## **10. COMPLAINTS MECHANISM**

10.1 Any person who is dissatisfied with a decision of SARS regarding its use of official languages may lodge a complaint addressed to the Commissioner for SARS.

10.2 A complaint must be delivered to the street address of the head office of SARS, or by registered post, or by fax or email.

10.3 The complaint must be in writing, be lodged within three months of the complaint arising, state the name, address and contact information of the person lodging the complaint and provide a full and detailed description of the complaint.

10.4 A senior SARS official duly authorised by the Commissioner for SARS must consider the complaint and make a decision, no later than three months after the complaint was lodged; and inform the complainant in writing of the decision.

10.5 A complainant not satisfied with the decision may lodge an appeal to Commissioner for SARS or the Minister of Finance within one month of the decision.

10.6 The appeal must be in writing and lodged within one month of the decision, state the name, address and contact information of the person lodging the appeal and provide a full and detailed description of the complaint.

10.7 The Commissioner for SARS or the Minister of Finance shall consider the appeal and make a decision, no later than three months after the appeal was lodged and inform the appellant in writing of the decision.

## **11. CONTACT INFORMATION**

**Street address:** Lehae la SARS, 299 Bronkhorst Street, Brooklyn, Pretoria

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