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24 December 2024

No. 51826

THE PRESIDENCY

No. 5736 **24 December 2024**

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No.42 of 2024: Taxation Laws Amendment, Act 2024

DIE PRESIDENSIE

No. 5736 **24 Desember 2024**

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

Wet No. 42 van 2024: Wysigingswet op belastingwette, 2024

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GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President)
(Assented to 20 December 2024)

ACT

To—

- amend the Income Tax Act, 1962, so as to amend certain definitions; amend certain provisions; to insert new provisions; to amend certain Schedules;
- amend the Customs and Excise Act, 1964, so as to make provision for continuations; to amend certain Schedules;
- amend the Value-Added Tax Act, 1991, so as to amend certain provisions; to amend a Schedule; and to make provision for continuations;
- amend the Securities Transfer Tax Act, 2007, to amend certain provisions;
- amend the Mineral and Petroleum Resources Royalty Act, 2008, so as to amend a provision;
- amend the Employment Tax Incentive Act, 2013, so as to amend certain provisions;
- amend the Taxation Laws Amendment Act, 2013, so as to amend certain effective dates;
- amend the Taxation Laws Amendment Act, 2018, so as to amend certain provisions;
- amend the Carbon Tax Act, 2019, so as to amend certain provisions; and to amend certain Schedules;
- amend the Taxation Laws Amendment Act, 2021, so as to amend a certain provision; and
- amend the Taxation Laws Amendment Act, 2023, so as to amend certain provisions; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 58 of 1962, as amended by section 3 of Act 90 of 1962, section 1 of Act 6 of 1963, section 4 of Act 72 of 1963, section 4 of Act 90 of 1964, section 5 of Act 88 of 1965, section 5 of Act 55 of 1966, section 5 of Act 76 of 1968, section 6 of Act 89 of 1969, section 6 of Act 52 of 1970, section 4 of Act 88 of 1971, section 4 of Act 90 of 1972, section 4 of Act 65 of 1973, section 4 of Act 85 of 1974, section 4 of Act 69 of 1975, section 4 of Act 103 of 1976, section 4 of Act 113 of 1977, section 3 of Act 101 of 1978, section 3 of Act 104 of 1979, section 2 of Act 104 of 1980, section 2 of Act 96 of 1981, section 3 of Act 91 of 1982, section 2 of Act 94 of 1983, section 1 of Act 30 of 1984, section 2 of Act 121 of 1984, section 2 of Act 96 of 1985, section 2 of Act 65 of 1986, section 1 of Act 108 of 1986, section 2 of Act 85 of 1987, section 2 of Act 90 of 1988, section 1 of Act 99 of 1988, Government Notice R780 of 1989, section 2 of Act 70 of 1989, section 2 of Act 101 of 1990, section 2 of Act 129 of 1991, section 2 of Act 141 of 1992, section 2 of Act 113 of 1993, section 2

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vetdruk in vierkantige hakies dui skappings uit bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder dui invoegings in bestaande verordenings aan.

(Engelse teks deur die President geteken)
(Goedgekeur op 20 Desember 2024)

WET

Tot wysiging van—

- die Inkomstebelastingwet, 1962, ten einde sekere woordskrywings te wysig; sekere bepalings te wysig; nuwe bepalings in te voeg; sekere Bylaes te wysig;
- die Doeane- en Aksynswet, 1964, ten einde voorsiening te maak vir voortsettings; sekere Bylaes te wysig;
- die Wet op Belasting op Toegevoegde Waarde, 1991, ten einde sekere bepalings te wysig; 'n Bylae te wysig; en voorsiening te maak vir voortsettings;
- die Wet op Belasting op Oordrag van Sekuriteite, 2007, ten einde sekere bepalings te wysig;
- die “Mineral and Petroleum Resources Royalty Act, 2008”, ten einde 'n bepaling te wysig;
- die “Employment Tax Incentive Act, 2013”, ten einde sekere bepalings te wysig;
- die Wysigingswet op Belastingwette, 2013, ten einde sekere inwerkingtredingsdatums te wysig;
- die Wysigingswet op Belastingwette, 2018, ten einde sekere bepalings te wysig;
- die Wet op Koolstofbelasting, 2019, ten einde sekere bepalings te wysig; en sekere Bylaes te wysig;
- die Wysigingswet op Belastingwette, 2021, ten einde 'n sekere bepaling te wysig; en
- tot wysiging van die Wysigingswet op Belastingwette, 2023, ten einde sekere bepalings te wysig; en om voorsiening te maak vir aangeleenthede wat daarmee verband hou.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 58 van 1962, soos gewysig deur artikel 3 van Wet 90 van 1962, artikel 1 van Wet 6 van 1963, artikel 4 van Wet 72 van 1963, artikel 4 van Wet 90 van 1964, artikel 5 van Wet 88 van 1965, artikel 5 van Wet 55 van 1966, artikel 5 van Wet 76 van 1968, artikel 6 van Wet 89 van 1969, artikel 6 van Wet 52 van 1970, artikel 4 van Wet 88 van 1971, artikel 4 van Wet 90 van 1972, artikel 4 van Wet 65 van 1973, artikel 4 van Wet 85 van 1974, artikel 4 van Wet 69 van 1975, artikel 4 van Wet 103 van 1976, artikel 4 van Wet 113 van 1977, artikel 3 van Wet 101 van 1978, artikel 3 van Wet 104 van 1979, artikel 2 van Wet 104 van 1980, artikel 2 van Wet 96 van 1981, artikel 3 van Wet 91 van 1982, artikel 2 van Wet 94 van 1983, artikel 1 van Wet 30 van 1984, artikel 2 van Wet 121 van 1984, artikel 2 van Wet 96 van 1985, artikel 2 van Wet 65 van 1986, artikel 1 van Wet 108 van 1986, artikel 2 van Wet 85 van 1987, artikel 2 van Wet 90 van 1988, artikel 1 van Wet 99

of Act 21 of 1994, section 2 of Act 21 of 1995, section 2 of Act 36 of 1996, section 2 of Act 28 of 1997, section 19 of Act 30 of 1998, Government Notice 1503 of 1998, section 10 of Act 53 of 1999, section 13 of Act 30 of 2000, section 2 of Act 59 of 2000, section 5 of Act 5 of 2001, section 3 of Act 19 of 2001, section 17 of Act 60 of 2001, section 9 of Act 30 of 2002, section 6 of Act 74 of 2002, section 33 of Act 12 of 2003, section 12 of Act 45 of 2003, section 3 of Act 16 of 2004, section 3 of Act 32 of 2004, section 3 of Act 32 of 2005, section 19 of Act 9 of 2006, section 3 of Act 20 of 2006, section 3 of Act 8 of 2007, section 5 of Act 35 of 2007, section 2 of Act 3 of 2008, section 4 of Act 60 of 2008, section 7 of Act 17 of 2009, section 6 of Act 7 of 2010, section 7 of Act 24 of 2011, section 271 of Act 28 of 2011, read with item 23 of Schedule 1 to that Act, section 2 of Act 22 of 2012, section 4 of Act 31 of 2013, section 1 of Act 43 of 2014, section 3 of Act 25 of 2015, section 5 of Act 15 of 2016, section 2 of Act 17 of 2017, section 1 of Act 23 of 2018, section 34 of Act 34 of 2019, section 2 of Act 23 of 2020, section 4 of Act 20 of 2021, section 1 of Act 20 of 2022, section 1 of Act 17 of 2023, section 1 of Act 12 of 2024 and section 1 of Act 44 of 2024

1. (1) Section 1(1) of the Income Tax Act, 1962, is hereby amended—

- (a) by the insertion after the definition of “Banks Act” of the following definition:

“**‘battery electric vehicle’** means any fully electric vehicle powered by rechargeable batteries;”;
- (b) by the substitution in paragraph (e) of the definition of “company” for subparagraph (ii) of the following subparagraph:

“(ii) portfolio comprised in any investment scheme carried on outside the Republic that is comparable to a portfolio of a collective investment scheme in participation bonds[or], a portfolio of a collective investment scheme in securities or a portfolio of a hedge fund collective investment scheme in pursuance of any arrangement in terms of which members of the public (as defined in section 1 of the Collective Investment Schemes Control Act) are invited or permitted to contribute to and hold participatory interests in that portfolio through shares, units or any other form of participatory interest; or”;
- (c) by the substitution in paragraph (c) of the definition of “connected person” for subparagraph (ii) of the following subparagraph:

“(ii) any connected person in relation to any member of such partnership or foreign partnership, other than a member who is a qualifying investor in such partnership or foreign partnership;”;
- (d) by the substitution in paragraph (d)(vi)(cc) of the definition of “connected person” for subitems (i) and (ii) of the following subitems, respectively:

“[(i)(A) any member contemplated in item (aa); or
[(ii)(B) the relative or trust contemplated in item (bb); and”;
- (e) by the insertion after the definition of “hotel keeper” of the following definition:

“**‘hydrogen-powered vehicle’** means any vehicle powered by hydrogen fuel cells;”;
- (f) by the substitution for the definition of “REIT” of the following definition:

“**‘REIT’** means a company that is a resident—

 - (a) [that is a resident; and
 - (b)] the equity shares of which are listed—
 - (i) on an exchange (as defined in section 1 of the Financial Markets Act and licensed under section 9 of that Act); and
 - (ii) as shares in a REIT as defined in the listing requirements of that exchange approved in consultation with the Director-General of the National Treasury and published, after approval of those listing requirements by the Director-General of the

van 1988, Goewermentskennisgewing R780 van 1989, artikel 2 van Wet 70 van 1989, artikel 2 van Wet 101 van 1990, artikel 2 van Wet 129 van 1991, artikel 2 van Wet 141 van 1992, artikel 2 van Wet 113 van 1993, artikel 2 van Wet 21 van 1994, artikel 2 van Wet 21 van 1995, artikel 2 van Wet 36 van 1996, artikel 2 van Wet 28 van 1997, artikel 19 van Wet 30 van 1998, Goewermentskennisgewing 1503 van 1998, artikel 10 van Wet 53 van 1999, artikel 13 van Wet 30 van 2000, artikel 2 van Wet 59 van 2000, artikel 5 van Wet 5 van 2001, artikel 3 van Wet 19 van 2001, artikel 17 van Wet 60 van 2001, artikel 9 van Wet 30 van 2002, artikel 6 van Wet 74 van 2002, artikel 33 van Wet 12 van 2003, artikel 12 van Wet 45 van 2003, artikel 3 van Wet 16 van 2004, artikel 3 van Wet 32 van 2004, artikel 3 van Wet 32 van 2005, artikel 19 van Wet 9 van 2006, artikel 3 van Wet 20 van 2006, artikel 3 van Wet 8 van 2007, artikel 5 van Wet 35 van 2007, artikel 2 van Wet 3 van 2008, artikel 4 van Wet 60 van 2008, artikel 7 van Wet 17 van 2009, artikel 6 van Wet 7 van 2010, artikel 7 van Wet 24 van 2011, artikel 271 van Wet 28 van 2011, gelees met item 23 van Bylae 1 by daardie Wet, artikel 2 van Wet 22 van 2012, artikel 4 van Wet 31 van 2013, artikel 1 van Wet 43 van 2014, artikel 3 van Wet 25 van 2015, artikel 5 van Wet 15 van 2016, artikel 2 van Wet 17 van 2017, artikel 1 van Wet 23 van 2018, artikel 34 van Wet 34 van 2019, artikel 2 van Wet 23 van 2020, artikel 4 van Wet 20 van 2021, artikel 1 van Wet 20 van 2022, artikel 1 van Wet 17 van 2023, artikel 1 van Wet 12 van 2024 en artikel 1 van Wet 44 van 2024

1. (1) Artikel 1(1) van die Inkomstebelastingwet, 1962, word hierby gewysig—
 - (a) deur die volgende omskrywing na die omskrywing van “Bankwet” in te voeg:

“**‘battery-elektriesevoertuig’** enige ten volle elektriese voertuig wat deur herlaaibare batterye aangedryf word;”;
 - (b) deur in die omskrywing van “maatskappy” subparagraaf (ii) van paragraaf (e) deur die volgende subparagraaf te vervang:

“(ii) portefeulje vervat in enige beleggingskema buite die Republiek beoefen wat vergelykbaar is met ’n portefeulje van ’n kollektiewe beleggingskema in deelnemingsverbande [of], ’n portefeulje van ’n kollektiewe beleggingskema in effekte of ’n portefeulje van ’n daaldekkingsfonds kollektiewe beleggingskema ooreenkomstig enige reëling ingevolge waarvan lede van die publiek (soos omskryf in artikel 1 van die Wet op Beheer van Kollektiewe Beleggingskemas) uitgenooi of toegelaat word om by wyse van aandele, eenhede of enige ander vorm van deelnemende belang, bydra tot en deelnemende belange in daardie portefeulje hou; of”;
 - (c) deur in die omskrywing van “verbonde persoon” in paragraaf (c) subparagraaf (ii) deur die volgende subparagraaf te vervang:

“(ii) ’n verbonde persoon met betrekking tot ’n lid van bedoelde vennootskap of buitelandse vennootskap, buiten ’n lid wat ’n kwalifiserende belegger in bedoelde vennootskap of buitelandse vennootskap is;”;
 - (d) deur in die omskrywing van “verbonde persoon” in paragraaf (d)(vi)(cc) subitems (i) en (ii) onderskeidelik deur die volgende subitems te vervang:

“[(i)](A) enige lid in item (aa) beoog; of

[(ii)](B) die familielid of trust in item (bb) beoog; en”;
 - (e) deur die volgende omskrywing na die omskrywing van “waterdiensteverkaffer” in te voeg:

“**‘waterstof-aangedrewe voertuig’** enige voertuig wat deur waterstofbrandstofselle aangedryf word;”;
 - (f) deur die omskrywing van “EIT” deur die volgende omskrywing te vervang:

“**‘EIT’** ’n maatskappy wat ’n inwoner is—

 - (a) [wat ’n inwoner is; en
 - (b)] waarvan die aandele genoteer word—
 - (i) op ’n ‘exchange’ (soos omskryf in artikel 1 van die ‘Financial Markets Act’ en gelisensieer kragtens artikel 9 van daardie Wet); en
 - (ii) as aandele in ’n ‘REIT’ soos omskryf in die noteringsvereistes van daardie beurs goedgekeur in oorleg met die Direkteur-generaal van die Nasionale Tesourie en gepubliseer na goedkeuring van daardie noteringsvereistes deur die Direkteur-

National Treasury, by the appropriate authority, as contemplated in section 1 of the Financial Markets Act, in terms of section 11 of that Act or by the Financial Sector Conduct Authority; or

- (b) where that company meets the requirements and conditions set by the Minister of Finance by notice in the *Gazette*;”;
- (g) by the substitution in the proviso to the definition of “remuneration proxy” for paragraphs (a) and (b), respectively, of the following paragraphs:
- “(a) where during a portion of such preceding year the employee was not in the employment of the employer or of any associated institution, as defined in paragraph 1 of the Seventh Schedule, in relation to the employer, the remuneration proxy as respects that employee must be deemed to be an amount which bears to the amount of the employee’s remuneration for the portion of such preceding year during which the employee was in such employment the same ratio as the period of 365 days bears to the number of days in such last-mentioned portion;
- (b) where during the whole of such preceding year, the employee was not in the employment of the employer or of any associated institution, as defined in paragraph 1 of the Seventh Schedule, in relation to the employer, the remuneration proxy as respects that employee must be deemed to be an amount which bears to the employee’s remuneration during the first month during which the employee was in the employment of the employer the same ratio as 365 days bears to the number of days during which the employee was in such employment;”;
- (h) by the substitution in paragraph (b)(ii) of the proviso to the definition of “retirement annuity fund” for the words preceding the proviso of the following words:
- “that not more than one-third of the member’s interest in the vested component may be commuted for a single payment, and that the remainder, calculated together with the total value of the member’s share standing to the credit of the retirement component, must be paid in the form of an annuity (including a living annuity), a combination of annuities (including a combination of methods of paying the annuity) or a combination of types of annuities except where two-thirds of the total value of the member’s interest in the vested component plus the member’s interest in the retirement component does not exceed R165 000, or where the member is deceased or where the member elects to transfer the vested component to a retirement annuity fund or where a member of this retirement annuity fund elects to have a lump sum benefit contemplated in paragraph 2(1)(c) of the Second Schedule transferred to another retirement annuity fund and who made the election while being a member of this retirement annuity fund;
- (i) by the insertion after subparagraph (v) of paragraph (b) of the proviso to the definition of “retirement annuity fund” of the following subparagraph:
- “(vA) that a former member of another retirement annuity fund may elect to have a lump sum benefit contemplated in paragraph 2(1)(c) of the Second Schedule transferred to this retirement annuity fund if the member made the election while being a member of that other retirement annuity fund;
- (j) by the substitution in paragraph (b)(x) of the proviso to the definition of “retirement annuity fund” for item (cc) of the following item:
- “(cc) the payment of a lump sum benefit contemplated in paragraph 2(1)(b)(ii) of the Second Schedule where [that] the member’s interest in the [fund] vested component together with the member’s interest in the retirement component is less than an

- generaal van die Nasionale Tesourie, deur die toepaslike owerheid, soos beoog in artikel 1 van die 'Financial Markets Act', ingevolge artikel 11 van daardie Wet of deur die Gedragsowerheid vir die Finansiële Sektor (Financial Sector Conduct Authority); of 5
- (b) waar daardie maatskappy voldoen aan die vereistes en voorwaardes wat deur die Minister van Finansies by kennisgewing in die *Staatskoerant* gestel is;";
- (g) deur in die voorbehoudsbepaling by die omskrywing van "besoldigingsplaasvervanger" paragrafe (a) en (b) onderskeidelik deur die volgende paragrafe te vervang: 10
- “(a) waar gedurende 'n gedeelte van bedoelde voorafgaande jaar die werknemer nie in die diens van die werkgewer of van 'n verwante inrigting, soos in paragraaf 1 van die Sewende Bylae omskryf, met betrekking tot die werkgewer was nie, die besoldigingsplaasvervanger wat betref daardie werknemer geag moet word 'n bedrag te wees wat in dieselfde verhouding staan tot die bedrag van die werknemer se besoldiging vir die gedeelte van bedoelde voorafgaande jaar waartydens die werknemer in bedoelde diens was as wat die tydperk van 365 dae tot die aantal dae in bedoelde laasgenoemde gedeelte staan; 15
- (b) waar gedurende die geheel van bedoelde voorafgaande jaar die werknemer nie in die diens van die werkgewer of van 'n verwante inrigting, soos in paragraaf 1 van die Sewende Bylae omskryf, met betrekking tot die werkgewer was nie, die besoldigingsplaasvervanger wat betref daardie werknemer geag moet word 'n bedrag te wees wat in dieselfde verhouding staan tot die werknemer se besoldiging gedurende die eerste maand waartydens die werknemer in diens van die werkgewer was as wat 365 dae staan tot die aantal dae waartydens die werknemer in bedoelde diens was;"; 20 25 30
- (h) deur in die omskrywing van "uittredingannuïteitsfonds" in paragraaf (b)(ii) van die voorbehoudsbepaling die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang: 35
- “dat hoogstens een-derde van die lid se belang in die gevestigde komponent deur 'n enkele betaling vervang kan word en dat die restant, bereken tesame met die totale waarde van die lid se aandeel wat tot die krediet van die uittreekomponent staan, in die vorm van 'n annuïteit (met inbegrip van 'n lewende annuïteit), 'n kombinasie van annuïteite (met inbegrip van 'n kombinasie van metodes om die annuïteit te betaal) of 'n kombinasie van tipes annuïteite) betaal moet word, behalwe waar twee-derdes van die totale waarde van die lid se belang in die gevestigde komponent plus die lid se belang in die uittreekomponent nie R165 000 te bowe gaan nie of waar die lid oorlede is of waar die lid kies om die gevestigde komponent na 'n uittredingannuïteitsfonds oor te dra of waar 'n lid van hierdie uittredingannuïteitsfonds kies om 'n enkelbedrag beoog in paragraaf 2(1)(c) van die Tweede Bylae na 'n ander uittredingannuïteitsfonds te laat oordra en die keuse gemaak het terwyl hy of sy 'n lid van hierdie uittredingannuïteitsfonds was;"; 40 45
- (i) deur na subparagraaf (v) van paragraaf (b) van die voorbehoudsbepaling by die omskrywing van "uittredingannuïteitsfonds" die volgende subparagraaf in te voeg: 50
- “(vA) dat 'n voormalige lid van 'n ander uittredingannuïteitsfonds kan kies om 'n enkelbedrag beoog in paragraaf 2(1)(c) van die Tweede Bylae na hierdie uittredingannuïteitsfonds te laat oordra indien die lid die keuse gemaak het terwyl hy of sy 'n lid van daardie ander uittredingannuïteitsfonds was;"; 55
- (j) deur in die omskrywing van "uittredingannuïteitsfonds" in item (cc) van paragraaf (b)(x) van die voorbehoudsbepaling deur die volgende item te vervang: 60
- “(cc) op die betaling van n enkelbedragvoordeel beoog in paragraaf 2 (1) (b) (ii) van die Tweede Bylae waar [daardie] die lid se belang in die [fonds] gevestigde komponent saam met die lid se

amount determined by the Minister by notice in the *Gazette*; or”;
and

(k) by the substitution for the definition of “trust” of the following definition:

“**‘trust’** means any trust fund consisting of cash or other assets which are administered and controlled by a person acting in a fiduciary capacity, where such person is appointed under a deed of trust or by agreement or under the will of a deceased person, and includes a portfolio of a collective investment scheme and a portfolio of a hedge fund collective investment scheme;”.

(2) Paragraph (c) of subsection (1) comes into operation on 1 January 2025 and applies in respect of years of assessment commencing on or after that date.

(3) Paragraph (f) of subsection (1) comes into operation with effect from a date determined by the Minister of Finance by notice in the *Gazette*.

(4) Paragraphs (g), (h), (i) and (j) of subsection (1) come into effect on 1 March 2025 and apply in respect of years of assessment commencing on or after that date.

(5) Paragraphs (a) and (e) of subsection (1) come into operation on 1 March 2026 and apply in respect of assets brought into use on or after that date.

Amendment of section 6quat of Act 58 of 1962, as inserted by section 9 of Act 89 of 1969, repealed by section 5 of Act 94 of 1983, inserted by section 5 of Act 85 of 1987 and amended by section 5 of Act 28 of 1997, section 12 of Act 53 of 1999, section 16 of Act 30 of 2000, section 4 of Act 59 of 2000, section 8 of Act 5 of 2001, section 20 of Act 60 of 2001, section 8 of Act 5 of 2001, sections 9 and 125 of Act 74 of 2002, section 16 of Act 45 of 2003, section 4 of Act 32 of 2004, section 8 of Act 31 of 2005, section 7 of Act 35 of 2007, section 9 of Act 17 of 2009, section 7 of Act 18 of 2009, section 11 of Act 24 of 2011, section 271 of Act 28 of 2011, read with paragraph 29 of Schedule 1, section 3 of Act 22 of 2012, section 3 of Act 39 of 2013, section 6 of Act 25 of 2015, section 10 of Act 15 of 2016, section 4 of Act 17 of 2017, section 7 of Act 23 of 2018 and section 2 of Act 18 of 2023

2. (1) Section 6quat of the Income Tax Act, 1962, is hereby amended—

(a) by the substitution in subsection (1A) for paragraph (ii) of the proviso of the following paragraph:

“(ii) for the purposes of this subsection, the amount so included in such resident’s taxable income must be determined—

(aa) without regard to section 10B(3); and

(bb) by replacing the percentages in paragraph 10(1)(a), (b)(i), (iii) and (iv), and (c) of the Eighth Schedule by 100 per cent.”;

(b) by the substitution for paragraph (iB) of the proviso to subsection (1B)(a) of the following paragraph:

“the taxes contemplated in subsection (1A)(a)(iii) **[which] that** are attributable to any taxable capital gain **[in respect of an asset which is not attributable to a permanent establishment of the resident outside the Republic,]** must in aggregate be limited to the amount of normal tax **[which] that** is attributable to that taxable capital gain;”; and

(c) by the substitution for subsection (4) of the following subsection:

“(4) For the purpose of this section the amount of any foreign tax proved to be payable as contemplated in—

(a) subsection (1A)(a) or (f) or any amount paid or proved to be payable as contemplated in subsection (1C) in respect of any amount which is included in the taxable income of any resident during any year of assessment, shall be translated to the currency of the Republic on the last day of that year of assessment by applying the average exchange rate for that year of assessment[.]; or

(b) subsection (1A)(b) in respect of any amount which is included in the taxable income of any resident during any year of assessment, shall be translated to the currency of the Republic on the last day of the foreign tax year of the controlled foreign company in respect of

- belang in die uittreekomponent minder is as 'n bedrag deur die Minister by kennisgewing in die *Staatskoerant* bepaal; of”; en
- (k) deur die omskrywing van “trust” deur die volgende omskrywing te vervang:
 “‘trust’[,] enige trustfonds bestaande uit kontant of ander bates wat deur 'n persoon wat in 'n fidusiêre hoedanigheid optree, geadminestreer en beheer word, waar daardie persoon ingevolge 'n trustakte of ooreenkoms of ingevolge 'n testament van 'n oorlede persoon aangestel is, met inbegrip van 'n portefeulje van 'n kollektiewe beleggingskema en 'n portefeulje van 'n daaldekkingsfonds kollektiewe beleggingskema;”.
- (2) Paragraaf (c) van subartikel (1) tree op 1 Januarie 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.
- (3) Paragraaf (f) van subartikel (1) tree in werking vanaf 'n datum deur die Minister van Finansies by kennisgewing in die *Staatskoerant* bepaal.
- (4) Paragraawe (g), (h), (i) en (j) van subartikel (1) tree op 1 Maart 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.
- (5) Paragraawe (a) en (e) van subartikel (1) tree op 1 Maart 2026 in werking en is van toepassing ten opsigte van bates wat op of daardie datum in gebruik geneem word.

Wysiging van artikel 6quat van Wet 58 van 1962, soos ingevoeg deur artikel 9 van Wet 89 van 1969, herroep deur artikel 5 van Wet 94 van 1983, ingevoeg deur artikel 5 van Wet 85 van 1987 en gewysig deur artikel 5 van Wet 28 van 1997, artikel 12 van Wet 53 van 1999, artikel 16 van Wet 30 van 2000, artikel 4 van Wet 59 van 2000, artikel 8 van Wet 5 van 2001, artikel 20 van Wet 60 van 2001, artikel 8 van Wet 5 van 2001, artikels 9 en 125 van Wet 74 van 2002, artikel 16 van Wet 45 van 2003, artikel 4 van Wet 32 van 2004, artikel 8 van Wet 31 van 2005, artikel 7 van Wet 35 van 2007, artikel 9 van Wet 17 van 2009, artikel 7 van Wet 18 van 2009, artikel 11 van Wet 24 van 2011, artikel 271 van Wet 28 van 2011, gelees met paragraaf 29 van Bylae 1, artikel 3 van Wet 22 van 2012, artikel 3 van Wet 39 van 2013, artikel 6 van Wet 25 van 2015, artikel 10 van Wet 15 van 2016, artikel 4 van Wet 17 van 2017, artikel 7 van Wet 23 van 2018 en artikel 2 van Wet 18 van 2023

2. (1) Artikel 6quat van die Inkomstebelastingwet, 1962, word hierby gewysig—
- (a) deur in subartikel (1A) paragraaf (ii) van die voorbehoudsbepaling deur die volgende paragraaf te vervang:
 “(ii) by die toepassing van hierdie subartikel word die bedrag aldus by sodanige inwoner se belasbare inkomste ingesluit, bepaal—
 (aa) sonder inagneming van artikel 10B(3); en
 (bb) deur die persentasies in paragraaf 10(1)(a), (b)(i), (iii) en (iv), en (c) van die Agtste Bylae deur 100 persent te vervang.”;
- (b) deur paragraaf (iB) van die voorbehoudsbepaling by subartikel (1B)(a) deur die volgende paragraaf te vervang:
 “die belasting in subartikel (1A)(a)(iii) bedoel wat toeskryfbaar is aan enige belasbare kapitaalwins [ten opsigte van 'n bate wat nie aan 'n permanente saak van die inwoner buite die Republiek toeskryfbaar is nie,] moet in totaal beperk word tot die bedrag van normale belasting wat aan daardie belasbare kapitaalwins toeskryfbaar is;”;
- (c) deur subartikel (4) deur die volgende subartikel te vervang:
 “(4) By die toepassing van hierdie artikel word die bedrag van enige buitelandse belasting wat bewys word betaalbaar te wees soos beoog in—
 (a) subartikel (1A)(a) of (f) of enige bedrag wat betaal is of bewys betaalbaar te wees soos [beoog] in subartikel (1C) beoog ten opsigte van enige bedrag wat gedurende enige jaar van aanslag in die belasbare inkomste van 'n inwoner ingesluit is, op die laaste dag van daardie jaar van aanslag na die geldeenheid van die Republiek omgerekende deur die gemiddelde wisselkoers vir daardie jaar van aanslag toe te pas; of
 (b) subartikel (1A)(b) ten opsigte van enige bedrag wat gedurende enige jaar van aanslag in die belasbare inkomste van 'n inwoner ingesluit is, na die geldeenheid van die Republiek omgerekende op die laaste dag van die buitelandse belastingjaar van die beheerde buitelandse maatskappy ten opsigte waarvan die proporsionele

which the proportional amount referred to in that subsection is determined, by applying the average exchange rate for that foreign tax year.”.

(2) Paragraphs (a) and (b) of subsection (1) come into operation on 1 January 2025 and apply in respect of years of assessment commencing on or after that date.

(3) Paragraph (c) of subsection (1) comes into operation on 31 December 2024 and applies in respect of foreign tax years of controlled foreign companies ending on or after that date.

Amendment of section 7 of Act 58 of 1962, as amended by section 5 of Act 90 of 1962, section 8 of Act 88 of 1965, section 5 of Act 55 of 1966, section 7 of Act 94 of 1983, section 2 of Act 30 of 1984, section 5 of Act 90 of 1988, section 5 of Act 70 of 1989, section 4 of Act 101 of 1990, section 7 of Act 129 of 1991, section 5 of Act 141 of 1992, section 6 of Act 21 of 1995, section 23 of Act 30 of 1998, section 13 of Act 53 of 1999, section 5 of Act 59 of 2000, section 10 of Act 74 of 2002, section 17 of Act 45 of 2003, section 5 of Act 32 of 2004, section 9 of Act 31 of 2005, section 8 of Act 35 of 2007, section 4 of Act 3 of 2008, section 8 of Act 60 of 2008, section 10 of Act 17 of 2009, section 15 of Act 24 of 2011, section 8 of Act 31 of 2013 and section 4 of Act 43 of 2014

3. (1) Section 7 of the Income Tax Act, 1962, is hereby amended by the substitution for subsection (11) of the following subsection:

“(11) Any amount received by or accrued to any person by way of deduction from the minimum individual reserve of any other person in terms of—

(a) section 37D(1)(d)(iA) of the Pension Funds Act; [or]

(aA) section 37D(1)(d)(iB) of the Pension Funds Act; or

(b) section 37D(1)(e) of the Pension Funds Act to the extent that the deduction is a result of a deduction contemplated in paragraph (a) or (aA),

shall be deemed, for the purposes of this Act, to be income accrued to that other person on the date of the deduction.”.

(2) Subsection (1) is deemed to have come into operation on 1 September 2024.

Amendment of section 7C of Act 58 of 1962, as inserted by section 12 of Act 15 of 2016 and amended by section 5 of Act 17 of 2017, section 9 of Act 23 of 2018, section 4 of Act 34 of 2019, section 3 of Act 23 of 2020, section 5 of Act 20 of 2021, section 3 of Act 20 of 2022 and section 3 of Act 17 of 2023

4. (1) Section 7C of the Income Tax Act, 1962, is hereby amended—

(a) by the substitution in subsection (3) for the words following paragraph (b) of the following words:

“an amount equal to the difference between the amount incurred by that trust or company during a year of assessment as interest in respect of that loan, advance or credit and the amount that would have been incurred by that trust or company at the official rate of interest must, for purposes of Part V of Chapter II, be treated as a donation made to that trust or company by the person referred to in subsection (1)(a), (1A), or (B) on the last day of that year of assessment of that trust or company.”; and

(b) by the substitution in subsection (5) for paragraph (e) of the following paragraph:

“(e) that loan, advance or credit constitutes an affected transaction as defined in section 31(1) [that is subject to the provisions of that section] to the extent of an adjustment made in terms of section 31(2);”.

(2) Subsection (1) comes into operation on 1 January 2025 and applies in respect of years of assessment commencing on or after that date.

bedrag in daardie subartikel bedoel, bepaal word, deur die gemiddelde wisselkoers vir daardie buitelandse belastingjaar toe te pas.”.

(2) Paragrafe (a) en (b) van subartikel (1) tree op 1 Januarie 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin. 5

(3) Paragraaf (c) van subartikel (1) tree op 31 Desember 2024 in werking en is van toepassing ten opsigte van buitelandse belastingjare van beheerde buitelandse maatskappye wat op of na daardie datum eindig.

Wysiging van artikel 7 van Wet 58 van 1962, soos gewysig deur artikel 5 van Wet 90 van 1962, artikel 8 van Wet 88 van 1965, artikel 5 van Wet 55 van 1966, artikel 7 van Wet 94 van 1983, artikel 2 van Wet 30 van 1984, artikel 5 van Wet 90 van 1988, artikel 5 van Wet 70 van 1989, artikel 4 van Wet 101 van 1990, artikel 7 van Wet 129 van 1991, artikel 5 van Wet 141 van 1992, artikel 6 van Wet 21 van 1995, artikel 23 van Wet 30 van 1998, artikel 13 van Wet 53 van 1999, artikel 5 van Wet 59 van 2000, artikel 10 van Wet 74 van 2002, artikel 17 van Wet 45 van 2003, artikel 5 van Wet 32 van 2004, artikel 9 van Wet 31 van 2005, artikel 8 van Wet 35 van 2007, artikel 4 van Wet 3 van 2008, artikel 8 van Wet 60 van 2008, artikel 10 van Wet 17 van 2009, artikel 15 van Wet 24 van 2011, artikel 8 van Wet 31 van 2013 en artikel 4 van Wet 43 van 2014 10 15

3. (1) Artikel 7 van die Inkomstebelastingwet, 1962, word hierby gewysig deur subartikel (11) deur die volgende subartikel te vervang: 20

“(11) Enige bedrag ontvang deur of toegeval aan enige persoon deur middel van aftrekking van die minimum individuele reserwe van enige ander persoon ingevolge—

(a) artikel 37D(1)(d)(iA) van die Wet op Pensioenfondse; [of] 25

(aA) artikel 37D(1)(d)(iB) van die Wet op Pensioenfondse; of

(b) artikel 37D(1)(e) van die Wet op Pensioenfondse namate die aftrekking ’n gevolg is van ’n aftrekking beoog in paragraaf (a) of (aA),

word, by die toepassing van hierdie Wet, geag inkomste aan daardie ander persoon op die datum van die aftrekking toegeval te wees.”. 30

(2) Subartikel (1) word geag op 1 September 2024 in werking te getree het.

Wysiging van artikel 7C van Wet 58 van 1962, soos ingevoeg deur artikel 12 van Wet 15 van 2016 en gewysig deur artikel 5 van Wet 17 van 2017, artikel 9 van Wet 23 van 2018, artikel 4 van Wet 34 van 2019, artikel 3 van Wet 23 van 2020, artikel 5 van Wet 20 van 2021, artikel 3 van Wet 20 van 2022 en artikel 3 van Wet 17 van 2023 35

4. (1) Artikel 7C van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (3) die woorde wat op paragraaf (b) volg deur die volgende woorde te vervang:

“word ’n bedrag gelykstaande aan die verskil tussen die bedrag aangegaan deur daardie trust of maatskappy, gedurende ’n jaar van aanslag as rente ten opsigte van daardie lening, voorskot of krediet en die bedrag wat aangegaan sou gewees het deur daardie trust of maatskappy teen die amptelike rentekoers, vir doeleindes van Deel V van Hoofstuk II, behandel as ’n skenking oorgemaak aan daardie trust of maatskappy op die laaste dag van daardie jaar van aanslag van daardie trust of maatskappy deur die persoon vermeld in subartikel (1)(a), (1A) of (1B).”; en 40 45

(b) deur in subartikel (5) paragraaf (e) deur die volgende paragraaf te vervang:

“(e) daardie lening, voorskot of krediet ’n geaffekteerde transaksie uitmaak soos omskryf in artikel 31(1) [wat onderworpe is aan die bepaling van daardie artikel] dermate ’n aanpassing ingevolge artikel 31(2) gemaak word;”. 50

(2) Subartikel (1) tree op 1 Januarie 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin. 55

Amendment of section 8 of Act 58 of 1962, as amended by section 6 of Act 90 of 1962, section 6 of Act 90 of 1964, section 9 of Act 88 of 1965, section 10 of Act 55 of 1966, section 10 of Act 89 of 1969, section 6 of Act 90 of 1972, section 8 of Act 85 of 1974, section 7 of Act 69 of 1975, section 7 of Act 113 of 1977, section 8 of Act 94 of 1983, section 5 of Act 121 of 1984, section 4 of Act 96 of 1985, section 5 of Act 65 of 1986, section 6 of Act 85 of 1987, section 6 of Act 90 of 1988, section 5 of Act 101 of 1990, section 9 of Act 129 of 1991, section 6 of Act 141 of 1992, section 4 of Act 113 of 1993, section 6 of Act 21 of 1994, section 8 of Act 21 of 1995, section 6 of Act 36 of 1996, section 6 of Act 28 of 1997, section 24 of Act 30 of 1998, section 14 of Act 53 of 1999, section 17 of Act 30 of 2000, section 6 of Act 59 of 2000, section 7 of Act 19 of 2001, section 21 of Act 60 of 2001, section 12 of Act 30 of 2002, section 11 of Act 74 of 2002, section 18 of Act 45 of 2003, section 6 of Act 32 of 2004, section 4 of Act 9 of 2005, section 21 of Act 9 of 2006, section 5 of Act 20 of 2006, section 6 of Act 8 of 2007, section 9 of Act 35 of 2007, sections 1 and 5 of Act 3 of 2008, section 9 of Act 60 of 2008, section 11 of Act 17 of 2009, section 10 of Act 7 of 2010, section 16 of Act 24 of 2011, section 271 of Act 28 of 2011, read with item 30 of Schedule 1 to that Act, section 9 of Act 22 of 2012, section 9 of Act 31 of 2013, section 5 of Act 42 of 2014, section 5 of Act 43 of 2014, section 8 of Act 25 of 2015, section 6 of Act 14 of 2017, section 5 of Act 22 of 2020 and section 5 of Act 19 of 2023

5. (1) Section 8 of the Income Tax Act, 1962, is hereby amended by the insertion in subsection (4) after paragraph (nA) of the following paragraphs:

- “(nB) Where a taxpayer disposes of an asset contemplated in section 12V before the expiration of five years from the date on which that asset was brought into use, there shall be included in the taxpayer’s income 50 per cent of the cost of that asset, which has been recouped during the current year of assessment, in addition to the inclusion of amounts in terms of paragraph (a), but limited to the total amount allowed to be deducted in respect of that asset.
- (nC) Where an asset contemplated in section 12V is no longer used mainly in the production of battery electric or hydrogen-powered vehicles in the Republic, before the expiration of five years from the date on which that asset was brought into use, there shall be included in the taxpayer’s income 50 per cent of the cost of that asset allowed as a deduction under section 12V in respect of that asset, whether in the current or any previous year of assessment.”.

(2) Subsection (1) comes into operation on 1 March 2026 and applies in respect of assets brought into use on or after that date.

Amendment of section 8EA of Act 58 of 1962, as inserted by section 12 of Act 22 of 2012 and amended by section 11 of Act 31 of 2013, section 7 of Act 43 of 2014, section 15 of Act 15 of 2016, section 10 of Act 17 of 2017, section 13 of Act 23 of 2018, section 9 of Act 34 of 2019 and section 5 of Act 17 of 2023

6. (1) Section 8EA of the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution in subsection (1) for the definition of “third-party backed share” of the following definition:
- “‘third-party backed share’ means any preference share or equity instrument in respect of which an enforcement right is exercisable by the holder of that preference share or equity instrument or any person that is a connected person in relation to that holder as a result of any amount of any specified dividend, foreign dividend, return of capital or foreign return of capital attributable to that share or equity instrument not being received by or accruing to any person entitled thereto[;].”;

Wysiging van artikel 8 van Wet 58 van 1962, soos gewysig deur artikel 6 van Wet 90 van 1962, artikel 6 van Wet 90 van 1964, artikel 9 van Wet 88 van 1965, artikel 10 van Wet 55 van 1966, artikel 10 van Wet 89 van 1969, artikel 6 van Wet 90 van 1972, artikel 8 van Wet 85 van 1974, artikel 7 van Wet 69 van 1975, artikel 7 van Wet 113 van 1977, artikel 8 van Wet 94 van 1983, artikel 5 van Wet 121 van 1984, artikel 4 van Wet 96 van 1985, artikel 5 van Wet 65 van 1986, artikel 6 van Wet 85 van 1987, artikel 6 van Wet 90 van 1988, artikel 5 van Wet 101 van 1990, artikel 9 van Wet 129 van 1991, artikel 6 van Wet 141 van 1992, artikel 4 van Wet 113 van 1993, artikel 6 van Wet 21 van 1994, artikel 8 van Wet 21 van 1995, artikel 6 van Wet 36 van 1996, artikel 6 van Wet 28 van 1997, artikel 24 van Wet 30 van 1998, artikel 14 van Wet 53 van 1999, artikel 17 van Wet 30 van 2000, artikel 6 van Wet 59 van 2000, artikel 7 van Wet 19 van 2001, artikel 21 van Wet 60 van 2001, artikel 12 van Wet 30 van 2002, artikel 11 van Wet 74 van 2002, artikel 18 van Wet 45 van 2003, artikel 6 van Wet 32 van 2004, artikel 4 van Wet 9 van 2005, artikel 21 van Wet 9 van 2006, artikel 5 van Wet 20 van 2006, artikel 6 van Wet 8 van 2007, artikel 9 van Wet 35 van 2007, artikels 1 en 5 van Wet 3 van 2008, artikel 9 van Wet 60 van 2008, artikel 11 van Wet 17 van 2009, artikel 10 van Wet 7 van 2010, artikel 16 van Wet 24 van 2011, artikel 271 van Wet 28 van 2011, gelees met item 30 van Bylae 1 by daardie Wet, artikel 9 van Wet 22 van 2012, artikel 9 van Wet 31 van 2013, artikel 5 van Wet 42 van 2014, artikel 5 van Wet 43 van 2014, artikel 8 van Wet 25 van 2015, artikel 6 van Wet 14 van 2017, artikel 5 van Wet 22 van 2020 en artikel 5 van Wet 19 van 2023

5. (1) Artikel 8 van die Inkomstebelastingwet, 1962, word hierby gewysig deur in subartikel (4) na paragraaf (nA) die volgende paragrawe in te voeg:

- “(nB) Waar ’n belastingpligtige ’n bate in artikel 12V beoog, vervreem voor die verloop van vyf jaar vanaf die datum waarop daardie bate in gebruik geneem is, word daar by die belastingpligtige se inkomste gevoeg 50 persent van die koste van daardie bate, wat gedurende die huidige jaar van aanslag vergoed is, benewens die insluiting van bedrae ingevolge paragraaf (a), maar beperk tot die totale bedrag toegelaat om ten opsigte van daardie bate afgetrek te word.
- (nC) Waar ’n bate in artikel 12V beoog nie langer hoofsaaklik in die produksie van battery-elektriese of waterstof-aangedrewe voertuie in die Republiek gebruik word nie, voor die verstryking van vyf jaar vanaf die datum waarop daardie bate in gebruik geneem is, word daar by die belastingpligtige se inkomste bygevoeg 50 persent van die koste van daardie bate kragtens artikel 12V as ’n aftrekking ten opsigte van daardie bate toegelaat, hetsy in die huidige of enige vorige jaar van aanslag.”

(2) Subartikel (1) tree op 1 Maart 2026 in werking en is van toepassing ten opsigte van bates op of na daardie datum in gebruik geneem.

Wysiging van artikel 8EA van Wet 58 van 1962, soos ingevoeg deur artikel 12 van Wet 22 van 2012 en gewysig deur artikel 11 van Wet 31 van 2013, artikel 7 van Wet 43 van 2014, artikel 15 van Wet 15 van 2016, artikel 10 van Wet 17 van 2017, artikel 13 van Wet 23 van 2018, artikel 9 van Wet 34 van 2019 en artikel 5 van Wet 17 van 2023

6. (1) Artikel 8EA van die Inkomstebelastingwet, 1962, word hierby gewysig—

- (a) deur in subartikel (1) die omskrywing van “derdeparty-ondersteunde aandeel” deur die volgende omskrywing te vervang:

“ ‘derdeparty-ondersteunde aandeel’ enige voorkeuraandeel of ekwiteitsinstrument ten opsigte waarvan ’n afdwingingsreg uitoefenbaar is deur die houer van daardie voorkeuraandeel of ekwiteitsinstrument of enige persoon wat ’n verbonde persoon met betrekking tot daardie houer is as gevolg daarvan dat enige bedrag van enige bepaalde dividend, buitelandse dividend, teruggawe van kapitaal of buitelandse teruggawe van kapitaal toeskryfbaar aan daardie aandeel of ekwiteitsinstrument nie ontvang is deur of toegeval het aan ’n persoon wat daarop geregtig was nie;”;

- (b) by the substitution in the proviso to subsection (3) for paragraph (a) of the following paragraph:

“(a) that equity share in the operating company was disposed of and the funds derived from that disposal are used by the issuer of the preference share for the redemption of that preference share and the settlement of an amount of dividends or foreign dividends, if any, in respect of that preference share, within 90 days of that disposal; or”; and

- (c) by the substitution in the proviso to subsection (3) for paragraph (b) of the following paragraph:

“(b) that equity share in the operating company was a listed share and substituted for a listed share in terms of an arrangement that is announced and released as a corporate action as contemplated in the JSE Limited Listings Requirements in the SENS (Stock Exchange News Service) as defined in the JSE Limited Listings Requirements or a corporate action as contemplated in the listings requirements of any other exchange, licensed under the Financial Markets Act, that are substantially the same as the requirements prescribed by the JSE Limited Listings Requirements, where that corporate action complies with the applicable requirements of that exchange or a corporate action contemplated in the listings requirements of an exchange, in a country other than the Republic, contemplated in paragraph (c) of the definition of ‘recognised exchange’ in paragraph 1 of the Eighth Schedule.”.

(2) Paragraphs (a) and (c) of subsection (1) come into operation on 1 January 2025 and apply in respect of dividends or foreign dividends received or accrued during years of assessment commencing on or after that date.

(3) Paragraph (b) of subsection (1) is deemed to have come into operation on 1 January 2024 and applies in respect of the settlement of an amount of dividends or foreign dividends in respect of that preference share, during years of assessment commencing on or after that date.

Amendment of section 9D of Act 58 of 1962, as inserted by section 9 of Act 28 of 1997 and amended by section 28 of Act 30 of 1998, section 17 of Act 53 of 1999, section 19 of Act 30 of 2000, section 10 of Act 59 of 2000, section 9 of Act 5 of 2001, section 22 of Act 60 of 2001, section 14 of Act 74 of 2002, section 22 of Act 45 of 2003, section 13 of Act 32 of 2004, section 14 of Act 31 of 2005, section 9 of Act 20 of 2006, sections 9 and 96 of Act 8 of 2007, section 15 of Act 35 of 2007, section 8 of Act 3 of 2008, section 13 of Act 60 of 2008, section 12 of Act 17 of 2009, sections 16 and 146 of Act 7 of 2010, section 25 of Act 24 of 2011, sections 14 and 156 of Act 22 of 2012, section 19 of Act 31 of 2013, section 12 of Act 43 of 2014, section 13 of Act 25 of 2015, section 20 of Act 15 of 2016, section 15 of Act 17 of 2017, section 18 of Act 23 of 2018, section 10 of Act 34 of 2019, section 6 of Act 23 of 2020, section 10 of Act 20 of 2021, section 4 of Act 20 of 2022 and section 7 of Act 17 of 2023

7. (1) Section 9D of the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution for paragraph (k) of the proviso to subsection (2A) of the following paragraph:

“(k) for the purposes of section 24I and paragraph 43 of the Eighth Schedule, **‘local currency’** of a controlled foreign company otherwise than in relation to a permanent establishment of that controlled foreign company, means the functional currency of that company: Provided that where the functional currency is the currency of a country which has an official rate of inflation of 100 per cent or more for that foreign tax year, the ‘local currency’ means the currency of the Republic; and”;

- (b) by the substitution in subsection (6) for the proviso of the following proviso: “Provided that any exchange item denominated in any currency other than the functional currency of that controlled foreign company shall be

- (b) deur in die voorbehoudsbepaling by subartikel (3) paragraaf (a) deur die volgende paragraaf te vervang:
- “(a) oor daardie ekwiteitsaandeel in die bedryfsmaatskappy beskik is en die fondse verkry van daardie beskikking binne 90 dae van daardie beskikking deur die uitreiker van die voorkeuraandeel vir die aflossing van daardie voorkeuraandeel en die vereffening van enige bedrag aan dividende of buitelandse dividende, indien enige, ten opsigte van daardie voorkeuraandeel, gebruik word; of”; en
- (c) deur in die voorbehoudsbepaling by subartikel (3) paragraaf (b) deur die volgende paragraaf te vervang:
- “(b) daardie ekwiteitsaandeel in die bedryfsmaatskappy ’n genoteerde aandeel was en ’n genoteerde aandeel vervang ingevolge ’n reëling wat aangekondig word en vrygestel word as ’n korporatiewe aksie soos beoog in die ‘JSE Limited Listings Requirements’ in die ‘SENS (Stock Exchange News Service)’ soos omskryf in die ‘JSE Limited Listings Requirements’ of ’n korporatiewe aksie soos beoog in die noteringsvereistes van enige ander beurs, gelisensieer kragtens die ‘Financial Markets Act’, welke vereistes wesenlik dieselfde is as die vereistes voorgeskryf deur die ‘JSE Limited Listings Requirements’, waar daardie korporatiewe aksie aan die toepaslike vereiste van daardie beurs voldoen of ’n korporatiewe aksie beoog in die noteringsvereistes van ’n beurs, in ’n land anders as die Republiek, in paragraaf (c) van die omskrywing van ‘erkende beurs’ in paragraaf 1 van die Agtste Bylae beoog.”.
- (2) Paragrafe (a) en (c) van subartikel (1) tree op 1 Januarie 2025 in werking en is van toepassing ten opsigte van dividende of buitelandse dividende ontvang of toegeval gedurende jare van aanslag wat op of na daardie datum begin.
- (3) Paragraaf (b) van subartikel (1) word geag op 1 Januarie 2024 in werking te getree het en is van toepassing ten opsigte van die skikking van ’n aantal dividende of buitelandse dividende ten opsigte van daardie voorkeuraandeel, gedurende jare van aanslag wat op of na daardie datum begin.

Wysiging van artikel 9D van Wet 58 van 1962, soos ingevoeg deur artikel 9 van Wet 28 van 1997 en gewysig deur artikel 28 van Wet 30 van 1998, artikel 17 van Wet 53 van 1999, artikel 19 van Wet 30 van 2000, artikel 10 van Wet 59 van 2000, artikel 9 van Wet 5 van 2001, artikel 22 van Wet 60 van 2001, artikel 14 van Wet 74 van 2002, artikel 22 van Wet 45 van 2003, artikel 13 van Wet 32 van 2004, artikel 14 van Wet 31 van 2005, artikel 9 van Wet 20 van 2006, artikels 9 en 96 van Wet 8 van 2007, artikel 15 van Wet 35 van 2007, artikel 8 van Wet 3 van 2008, artikel 13 van Wet 60 van 2008, artikel 12 van Wet 17 van 2009, artikels 16 en 146 van Wet 7 van 2010, artikel 25 van Wet 24 van 2011, artikels 14 en 156 van Wet 22 van 2012, artikel 19 van Wet 31 van 2013, artikel 12 van Wet 43 van 2014, artikel 13 van Wet 25 van 2015, artikel 20 van Wet 15 van 2016, artikel 15 van Wet 17 van 2017, artikel 18 van Wet 23 van 2018, artikel 10 van Wet 34 van 2019, artikel 6 van Wet 23 van 2020, artikel 10 van Wet 20 van 2021, artikel 4 van Wet 20 van 2022 en artikel 7 van Wet 17 van 2023

7. (1) Artikel 9D van die Inkomstebelastingwet, 1962, word hierby gewysig—
- (a) deur paragraaf (k) van die voorbehoudsbepaling by subartikel (2A) deur die volgende paragraaf te vervang:
- “(k) by die toepassing van artikel 24I en paragraaf 43 van die Agtste Bylae, beteken **‘plaaslike geldeenheid’** van ’n beheerde buitelandse maatskappy, anders as met betrekking tot ’n **[permanent] permanente** saak van daardie beheerde buitelandse maatskappy, die funksionele geldeenheid van daardie maatskappy: Met dien verstande dat indien die funksionele geldeenheid die geldeenheid is van ’n land wat ’n amptelike inflasiekoers van 100 persent of meer vir daardie buitelandse belastingjaar het, beteken **‘plaaslike geldeenheid’** die geldeenheid van die Republiek; en”;
- (b) deur in subartikel (6) die voorbehoudsbepaling deur die volgende voorbehoudsbepaling te vervang:
- “Met dien verstande dat enige valuta-item aangedui in enige geldeenheid buiten die funksionele geldeenheid van daardie beheerde buitelandse

deemed not to be **[attributable]** effectively connected to any permanent establishment of the controlled foreign company if the functional currency is the currency of a country which has an official rate of inflation of 100 per cent or more for that foreign tax year.”; and

- (c) by the substitution in subsection (9) for paragraph (fB) of the following paragraph: 5

“(fB) is attributable to the disposal of any asset, as defined in the Eighth Schedule, (other than any financial instrument or intangible asset as defined in paragraph 16 of the Eighth Schedule), where that asset was **[attributable]** effectively connected to any foreign business establishment of any other controlled foreign company, where that company and that other controlled foreign company form part of the same group of companies[;].” 10

(2) Paragraph (a) of subsection (1) comes into operation on 31 December 2024 and applies in respect of foreign tax years of controlled foreign companies ending on or after that date. 15

Amendment of section 9H of Act 58 of 1962, as substituted by section 17 of Act 22 of 2012 and amended by section 21 of Act 31 of 2013, section 13 of Act 43 of 2014, section 21 of Act 15 of 2016, section 7 of Act 23 of 2020, section 11 of Act 20 of 2021 and section 8 of Act 17 of 2023 20

8. Section 9H of the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution in subsection (4) for paragraphs (e) and (f), respectively, of the following paragraphs:

“(e) any equity instrument contemplated in section 8C that had not yet vested as contemplated in that section at the time that the person ceases to be a resident as contemplated in subsection (2) or (3); **[or]** 25
(f) any right of that person to acquire any marketable security contemplated in section 8A[.]; or”;

- (b) by the addition in subsection (4) after paragraph (f) of the following paragraph: 30

“(g) any amount representing the value of the interest in any pension fund, pension preservation fund, provident fund, provident preservation fund or retirement annuity fund.”.

Amendment of section 11 of Act 58 of 1962, as amended by section 9 of Act 90 of 1962, section 8 of Act 72 of 1963, section 9 of Act 90 of 1964, section 11 of Act 88 of 1965, section 12 of Act 55 of 1966, section 11 of Act 95 of 1967, section 9 of Act 76 of 1968, section 14 of Act 89 of 1969, section 10 of Act 52 of 1970, section 10 of Act 88 of 1971, section 8 of Act 90 of 1972, section 9 of Act 65 of 1973, section 12 of Act 85 of 1974, section 9 of Act 69 of 1975, section 9 of Act 113 of 1977, section 5 of Act 101 of 1978, section 8 of Act 104 of 1979, section 8 of Act 104 of 1980, section 9 of Act 96 of 1981, section 7 of Act 91 of 1982, section 10 of Act 94 of 1983, section 11 of Act 121 of 1984, section 46 of Act 97 of 1986, section 10 of Act 85 of 1987, section 8 of Act 90 of 1988, section 8 of Act 70 of 1989, section 11 of Act 101 of 1990, section 13 of Act 129 of 1991, section 11 of Act 141 of 1992, section 9 of Act 113 of 1993, section 5 of Act 140 of 1993, section 10 of Act 21 of 1994, section 12 of Act 21 of 1995, section 9 of Act 36 of 1996, section 12 of Act 28 of 1997, section 30 of Act 30 of 1998, section 20 of Act 53 of 1999, section 22 of Act 30 of 2000, section 15 of Act 59 of 2000, section 10 of Act 19 of 2001, section 27 of Act 60 of 2001, section 14 of Act 30 of 2002, section 19 of Act 74 of 2002, section 27 of Act 45 of 2003, section 9 of Act 16 of 2004, section 16 of Act 32 of 2004, section 6 of Act 9 of 2005, section 18 of Act 31 of 2005, section 11 of Act 20 of 2006, section 11 of Act 8 of 2007, section 17 of Act 35 of 2007, sections 1 and 10 of Act 3 of 2008, section 18 of Act 60 of 2008, section 14 of Act 17 of 2009, section 19 of Act 7 of 2010, sections 30 and 161 of Act 24 of 2011, section 271 of Act 28 of 2011, read with item 33 of Schedule 1 to that Act, section 22 of Act 22 of 2012, section 27 of Act 31 of 2013, section 17 of Act 43 of 2014, section 18 of Act 25 of 2015, section 26 of Act 15 of 2016, section 19 of Act 17 of 2017, section 25 of 35
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maatskappy geag word nie [toeskryfbaar] effektief verbonde aan enige permanente saak van die beheerde buitelandse maatskappy te wees nie indien die funksionele geldeenheid die geldeenheid is van 'n land wat 'n amptelike inflasiekoers van 100 persent of meer vir daardie buitelandse belastingjaar het.”; en

(c) deur in subartikel (9) paragraaf (fB) deur die volgende paragraaf te vervang:

“(fB) toeskryfbaar is aan die beskikking oor 'n bate, soos in die Agtste Bylae omskryf, (behalwe enige finansiële instrument of ontasbare bate soos in paragraaf 16 van die Agtste Bylae omskryf), waar daardie bate effektief verbonde aan enige buitelandse besigheidsaak van enige ander beheerde buitelandse maatskappy [toeskryfbaar] was, waar daardie maatskappy en daardie ander beheerde buitelandse maatskappy deel van dieselfde groep van maatskappye vorm[;].”.

(2) Paragraaf (a) van subartikel (1) tree op 31 Desember 2024 in werking en is van toepassing ten opsigte van buitelandse belastingjare van beheerde buitelandse maatskappye wat op of na daardie datum eindig.

Wysiging van artikel 9H van Wet 58 van 1962, soos vervang deur artikel 17 van Wet 22 van 2012 en gewysig deur artikel 21 van Wet 31 van 2013, artikel 13 van Wet 43 van 2014, artikel 21 van Wet 15 van 2016, artikel 7 van Wet 23 van 2020, artikel 11 van Wet 20 van 2021 en artikel 8 van Wet 17 van 2023

8. Artikel 9H van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (4) paragrafe (e) en (f), onderskeidelik, deur die volgende paragrafe te vervang:

“(e) enige ekwiteitsinstrument beoog in artikel 8C wat nog nie gevestig het nie soos beoog in daardie artikel op die tydstip waarop die persoon ophou om 'n inwoner te wees soos beoog in subartikel (2) of (3); [of]

(f) 'n reg van daardie persoon om enige handelseffek beoog in artikel 8A te verkry[.]; of”;

(b) deur in subartikel (4) die volgende paragraaf na paragraaf (f) by te voeg:

“(g) enige bedrag wat die waarde verteenwoordig van die belang in enige pensioenfonds, pensioenbewaringsfonds, voorsorgfonds, voorsorgbewaringsfonds of uittredingannuïteitsfonds.”.

Wysiging van artikel 11 van Wet 58 van 1962, soos gewysig deur artikel 9 van Wet 90 van 1962, artikel 8 van Wet 72 van 1963, artikel 9 van Wet 90 van 1964, artikel 11 van Wet 88 van 1965, artikel 12 van Wet 55 van 1966, artikel 11 van Wet 95 van 1967, artikel 9 van Wet 76 van 1968, artikel 14 van Wet 89 van 1969, artikel 10 van Wet 52 van 1970, artikel 10 van Wet 88 van 1971, artikel 8 van Wet 90 van 1972, artikel 9 van Wet 65 van 1973, artikel 12 van Wet 85 van 1974, artikel 9 van Wet 69 van 1975, artikel 9 van Wet 113 van 1977, artikel 5 van Wet 101 van 1978, artikel 8 van Wet 104 van 1979, artikel 8 van Wet 104 van 1980, artikel 9 van Wet 96 van 1981, artikel 7 van Wet 91 van 1982, artikel 10 van Wet 94 van 1983, artikel 11 van Wet 121 van 1984, artikel 46 van Wet 97 van 1986, artikel 10 van Wet 85 van 1987, artikel 8 van Wet 90 van 1988, artikel 8 van Wet 70 van 1989, artikel 11 van Wet 101 van 1990, artikel 13 van Wet 129 van 1991, artikel 11 van Wet 141 van 1992, artikel 9 van Wet 113 van 1993, artikel 5 van Wet 140 van 1993, artikel 10 van Wet 21 van 1994, artikel 12 van Wet 21 van 1995, artikel 9 van Wet 36 van 1996, artikel 12 van Wet 28 van 1997, artikel 30 van Wet 30 van 1998, artikel 20 van Wet 53 van 1999, artikel 22 van Wet 30 van 2000, artikel 15 van Wet 59 van 2000, artikel 10 van Wet 19 van 2001, artikel 27 van Wet 60 van 2001, artikel 14 van Wet 30 van 2002, artikel 19 van Wet 74 van 2002, artikel 27 van Wet 45 van 2003, artikel 9 van Wet 16 van 2004, artikel 16 van Wet 32 van 2004, artikel 6 van Wet 9 van 2005, artikel 18 van Wet 31 van 2005, artikel 11 van Wet 20 van 2006, artikel 11 van Wet 8 van 2007, artikel 17 van Wet 35 van 2007, artikels 1 en 10 van Wet 3 van 2008, artikel 18 van Wet 60 van 2008, artikel 14 van Wet 17 van 2009, artikel 19 van Wet 7 van 2010, artikels 30 en 161 van Wet 24 van 2011, artikel 271 van Wet 28 van 2011, gelees met item 33 van Bylae 1 by daardie Wet, artikel 22 van Wet 22 van 2012, artikel 27 van Wet 31 van 2013, artikel 17 van Wet 43 van 2014, artikel 18 van Wet 25 van 2015, artikel 26 van Wet 15 van 2016, artikel 19 van Wet 17 van 2017, artikel 25 van Wet

Act 23 of 2018, section 15 of Act 34 of 2019, section 13 of Act 23 of 2020, section 8 of Act 20 of 2022 and section 11 of Act 17 of 2023

9. (1) Section 11 of the Income Tax Act, 1962, is hereby amended by the substitution for paragraph (nA) of the following paragraph:

“(nA) so much of any amount, including any voluntary award, received or accrued in respect of services rendered or to be rendered or any amount received or accrued in respect of or by virtue of any employment or the holding of any office as was or is included in the taxable income of that person and is refunded by that person;”.

(2) Subsection (1) comes into operation on 1 March 2025 and applies in respect of years of assessment commencing on or after that date.

Amendment of section 12C of Act 58 of 1962, as inserted by section 14 of Act 101 of 1990 and amended by section 11 of Act 113 of 1993, section 7 of Act 140 of 1993, section 11 of Act 21 of 1994, section 13 of Act 21 of 1995, section 10 of Act 46 of 1996, section 18 of Act 59 of 2000, section 11 of Act 19 of 2001, section 15 of Act 30 of 2002, section 30 of Act 45 of 2003, section 8 of Act 9 of 2005, section 20 of Act 31 of 2005, section 14 of Act 8 of 2007, section 22 of Act 35 of 2007, section 20 of Act 60 of 2008, section 19 of Act 17 of 2009, section 33 of Act 24 of 2011, section 24 of Act 22 of 2012, section 32 of Act 31 of 2013, section 20 of Act 25 of 2015, section 23 of Act 17 of 2017, section 27 of Act 23 of 2018 and section 14 of Act 23 of 2020

10. (1) Section 12C of the Income Tax Act, 1962, is hereby amended—

(a) by the substitution in subsection (3) for paragraphs (d) and (e), respectively, of the following paragraphs:

“(d) any asset in respect of which an allowance has been granted to the taxpayer under section 12E; **[or]**

(e) any asset the ownership of which is retained by the taxpayer as a seller in terms of an agreement contemplated in paragraph (a) of the definition of ‘instalment credit agreement’ in section 1 of the Value-Added Tax Act[.]; or”;

(b) by the addition in subsection (3) after paragraph (e) of the following paragraph:

“(f) any asset in respect of which a deduction has been granted to the taxpayer under section 12V.”.

(2) Subsection (1) comes into operation on 1 March 2026 and applies in respect of assets brought into use on or after that date.

Amendment of section 12E of Act 58 of 1962, as inserted by section 12 of Act 19 of 2001 and amended by section 17 of Act 30 of 2002, section 21 of Act 74 of 2002, section 37 of Act 12 of 2003, section 31 of Act 45 of 2003, section 9 of Act 9 of 2005, section 21 of Act 31 of 2005, section 24 of Act 9 of 2006, section 14 of Act 20 of 2006, section 15 of Act 8 of 2007, section 25 of Act 35 of 2007, section 13 of Act 3 of 2008, section 23 of Act 60 of 2008, section 21 of Act 17 of 2009, section 23 of Act 7 of 2010, section 34 of Act 24 of 2011, section 25 of Act 22 of 2012, section 7 of Act 23 of 2013, section 35 of Act 31 of 2013, section 20 of Act 43 of 2014, section 21 of Act 25 of 2015, section 29 of Act 15 of 2016, section 26 of Act 17 of 2017 and section 17 of Act 17 of 2023

11. (1) Section 12E of the Income Tax Act, 1962, is hereby amended by the substitution for subsection (3B) of the following subsection:

“(3B) No deduction shall be allowed under this section in respect of any asset in respect of which **[an allowance]** a deduction has been granted to the taxpayer under section 12BA.”.

(2) Subsection (1) is deemed to have come into operation on 1 March 2023 and applies in respect of assets brought into use on or after that date.

23 van 2018, artikel 15 van Wet 34 van 2019, artikel 13 van Wet 23 van 2020, artikel 8 van Wet 20 van 2022 en artikel 11 van Wet 17 van 2023

9. (1) Artikel 11 van die Inkomstebelastingwet, 1962, word hierby gewysig deur paragraaf (nA) deur die volgende paragraaf te vervang:

“(nA) soveel van enige bedrag, insluitend ’n vrywillige toekenning, ontvang of toegeval ten opsigte van dienste gelewer of gelewer te word of enige bedrag ontvang of toegeval ten opsigte van of uit hoofde van enige indiensneming of die bekleding van enige amp wat by die belasbare inkomste van daardie persoon ingesluit is of word en deur daardie persoon terugbetaal word;”.

(2) Subartikel (1) tree op 1 Maart 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

Wysiging van artikel 12C van Wet 58 van 1962, soos ingevoeg deur artikel 14 van Wet 101 van 1990 en gewysig deur artikel 11 van Wet 113 van 1993, artikel 7 van Wet 140 van 1993, artikel 11 van Wet 21 van 1994, artikel 13 van Wet 21 van 1995, artikel 10 van Wet 46 van 1996, artikel 18 van Wet 59 van 2000, artikel 11 van Wet 19 van 2001, artikel 15 van Wet 30 van 2002, artikel 30 van Wet 45 van 2003, artikel 8 van Wet 9 van 2005, artikel 20 van Wet 31 van 2005, artikel 14 van Wet 8 van 2007, artikel 22 van Wet 35 van 2007, artikel 20 van Wet 60 van 2008, artikel 19 van Wet 17 van 2009, artikel 33 van Wet 24 van 2011, artikel 24 van Wet 22 van 2012, artikel 32 van Wet 31 van 2013, artikel 20 van Wet 25 van 2015, artikel 23 van Wet 17 van 2017, artikel 27 van Wet 23 van 2018 en artikel 14 van Wet 23 van 2020

10. (1) Artikel 12C van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (3) paragrafe (d) en (e), onderskeidelik, deur die volgende paragrafe te vervang:

“(d) enige bate ten opsigte waarvan ’n vermindering aan die belastingpligtige ingevolge artikel 12E toegestaan is; [of]

(e) enige bate waarvan die eienaarskap deur die belastingpligtige behou word as ’n verkoper ingevolge ’n ooreenkoms beoog in paragraaf (a) van die omskrywing van ‘paaientkredietooreenkoms’ in artikel 1 van die Wet op Belasting op Toegevoegde Waarde[.]; of”;

(b) deur in subartikel (3) na paragraaf (e) die volgende paragraaf by te voeg:

“(f) enige bate ten opsigte waarvan ’n aftrekking kragtens artikel 12V aan die belastingpligtige toegestaan is.”.

(2) Subartikel (1) tree op 1 Maart 2026 in werking en is van toepassing ten opsigte van bates op of na daardie datum in gebruik geneem.

Wysiging van artikel 12E van Wet 58 van 1962, soos ingevoeg deur artikel 12 van Wet 19 van 2001 en gewysig deur artikel 17 van Wet 30 van 2002, artikel 21 van Wet 74 van 2002, artikel 37 van Wet 12 van 2003, artikel 31 van Wet 45 van 2003, artikel 9 van Wet 9 van 2005, artikel 21 van Wet 31 van 2005, artikel 24 van Wet 9 van 2006, artikel 14 van Wet 20 van 2006, artikel 15 van Wet 8 van 2007, artikel 25 van Wet 35 van 2007, artikel 13 van Wet 3 van 2008, artikel 23 van Wet 60 van 2008, artikel 21 van Wet 17 van 2009, artikel 23 van Wet 7 van 2010, artikel 34 van Wet 24 van 2011, artikel 25 van Wet 22 van 2012, artikel 7 van Wet 23 van 2013, artikel 35 van Wet 31 van 2013, artikel 20 van Wet 43 van 2014, artikel 21 van Wet 25 van 2015, artikel 29 van Wet 15 van 2016, artikel 26 van Wet 17 van 2017 en artikel 17 van Wet 17 van 2023

11. (1) Artikel 12E van die Inkomstebelastingwet, 1962, word hierby gewysig deur subartikel (3B) deur die volgende subartikel te vervang:

“(3B) Geen aftrekking word ingevolge hierdie artikel toegelaat ten opsigte van enige bate ten opsigte waarvan ’n [toelating] aftrekking ingevolge artikel 12BA aan die belastingpligtige toegestaan is nie.”.

(2) Subartikel (1) word geag op 1 Maart 2023 in werking te getree het en is van toepassing ten opsigte van bates op of na daardie datum in gebruik geneem.

Insertion of section 12V in Act 58 of 1962

12. (1) The Income Tax Act, 1962, is hereby amended by the insertion after section 12U of the following section:

“Deduction in respect of production of battery electric and hydrogen-powered vehicles

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12V. (1) There must be allowed to be deducted by a person that is a motor vehicle manufacturer an amount equal to 150 per cent of the cost of any—

(a) building (including improvements to a building);

(b) new and unused machinery, plant, implement, utensil or article; or

(c) improvement to any machinery, plant, implement, utensil or article,

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acquired as a purchaser in terms of an agreement contemplated in paragraph

(a) of the definition of ‘instalment credit agreement’ in section 1 of the

Value-Added Tax Act or owned by the taxpayer and used mainly in the

production of battery electric or hydrogen-powered vehicles in the

Republic: Provided that where any machinery, plant, implement, utensil,

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article or improvement qualifying for a deduction under this section is

mounted or affixed to any concrete or other foundation or supporting

structure and—

(a) the foundation or supporting structure is designed for such machinery, plant, implement, utensil, article or improvement and constructed in

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such manner that it is or should be regarded as being integrated with

the machinery, plant, implement, utensil, article or improvement; and

(b) the useful life of the foundation or supporting structure is or will be

limited to the useful life of the machinery, plant, implement, utensil,

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article or improvement mounted thereon or affixed thereto,

the foundation or supporting structure shall be deemed to be part of the

machinery, plant, implement, utensil, article or improvement mounted

thereon or affixed thereto.

(2) For the purposes of the deduction under subsection (1), an asset in

paragraph (a) or (b) must be brought into use on or after 1 March 2026 and

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before 1 March 2036.

(3) For the purposes of this section, the cost to a taxpayer of any asset is

deemed to be the lesser of the actual cost to the taxpayer or the cost which

a person would, if the person had acquired that asset under a cash

transaction concluded at arm’s length on the date on which the transaction

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for the acquisition was concluded, have incurred in respect of the direct cost

of the acquisition of the asset.

(4) No deduction shall be allowed under this section in respect of any

asset the ownership of which is retained by the taxpayer as a seller in terms

of an agreement contemplated in paragraph (a) of the definition of

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‘instalment credit agreement’ in section 1 of the Value-Added Tax Act.”.

(2) Subsection (1) comes into operation on 1 March 2026 and applies in respect of assets brought into use on or after that date.

Amendment of section 13 of Act 58 of 1962, as amended by section 12 of Act 90 of 1962, section 5 of Act 6 of 1963, section 11 of Act 72 of 1963, section 12 of Act 90 of 1964, section 14 of Act 88 of 1965, section 17 of Act 55 of 1966, section 13 of Act 52 of 1970, section 13 of Act 88 of 1971, section 12 of Act 90 of 1972, section 13 of Act 65 of 1973, section 16 of Act 85 of 1974, section 13 of Act 69 of 1975, section 7 of Act 101 of 1978, section 10 of Act 104 of 1980, section 14 of Act 96 of 1981, section 10 of

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Invoeging van artikel 12V in Wet 58 van 1962

12. (1) Die Inkomstebelastingwet, 1962, word hierby gewysig deur na artikel 12U die volgende artikel in te voeg:

“Aftrekking ten opsigte van produksie van battery-elektriese en waterstof-aangedrewe voertuie

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12V. (1) Daar word toegelaat om afgetrek te word van die inkomste van ’n persoon wat ’n motorvoertuigvervaardiger is, ’n bedrag gelyk aan 150 persent van die koste van enige—

(a) gebou (met inbegrip van verbeteringe aan ’n gebou);

(b) nuwe en ongebruikte masjinerie, installasie, gereedskap, werktuig of artikel; of

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(c) verbetering aan enige masjinerie, installasie, gereedskap, werktuig of artikel,

verkry as ’n koper ingevolge ’n ooreenkoms in paragraaf (a) van die omskrywing van ‘paaientkredietooreenkoms’ in artikel 1 van die Wet op Belasting op Toegevoegde Waarde bedoel of besit deur die belastingpligtige en wat deur die belastingpligtige hoofsaaklik in die produksie van battery-elektriese of waterstof-aangedrewe voertuie in die Republiek gebruik word: Met dien verstande dat waar enige masjinerie, installasie, gereedskap, werktuig, artikel of verbetering wat kragtens hierdie artikel vir ’n vermindering kwalifiseer, gemonteer is op of geheg is aan enige beton of ander fondasie of ondersteunende struktuur en—

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(a) die fondasie of ondersteunende struktuur vir daardie masjinerie, installasie, gereedskap, werktuig, artikel of verbetering ontwerp is en op so ’n wyse opgerig is dat dit as geïntegreer met die masjinerie, installasie, gereedskap, werktuig, artikel of verbetering beskou word of beskou moet word; en

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(b) die gebruiksduur van die fondasie of ondersteunende struktuur is beperk of sal beperk wees tot die gebruiksduur van die masjinerie, installasie, gereedskap, werktuig, artikel of verbetering wat daarop gemonteer of aangebring is,

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die fondasie of ondersteunende struktuur word geag deel van die masjinerie, installasie, gereedskap, werktuig, artikel of verbetering te wees wat daarop gemonteer of aangebring is.

(2) By die toepassing van die vermindering kragtens subartikel (1), moet ’n bate in paragraaf (a) of (b) bedoel op of na 1 Maart 2026 en voor 1 Maart 2036 in gebruik geneem word.

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(3) By die toepassing van hierdie artikel, word die koste vir die belastingpligtige van enige bate geag die minste te wees van die werklike koste vir die belastingpligtige of die koste wat ’n persoon ten opsigte van die regstreekse koste van die verkryging van die bate sou aangegaan het indien die persoon op die datum waarop die transaksie vir die verkryging aangegaan is, daardie bate kragtens ’n kontanttransaksie waarin die uiterste voorwaardes beding is, verkry het.

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(4) Geen vermindering word kragtens hierdie artikel toegelaat nie ten opsigte van enige bate waarvan die eienaarskap behou word deur die belastingpligtige as ’n verkoper ingevolge ’n ooreenkoms in paragraaf (a) van die omskrywing van ‘paaientkredietooreenkoms’ in artikel 1 van die Wet op Belasting op Toegevoegde Waarde bedoel.”.

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(2) Subartikel (1) tree op 1 Maart 2026 in werking en is van toepassing ten opsigte van bates op of na daardie datum in gebruik geneem.

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Wysiging van artikel 13 van Wet 58 van 1962, soos gewysig deur artikel 12 van Wet 90 van 1962, artikel 5 van Wet 6 van 1963, artikel 11 van Wet 72 van 1963, artikel 12 van Wet 90 van 1964, artikel 14 van Wet 88 van 1965, artikel 17 van Wet 55 van 1966, artikel 13 van Wet 52 van 1970, artikel 13 van Wet 88 van 1971, artikel 12 van Wet 90 van 1972, artikel 13 van Wet 65 van 1973, artikel 16 van Wet 85 van 1974, artikel 13 van Wet 69 van 1975, artikel 7 van Wet 101 van 1978, artikel 10 van Wet 104 van 1980, artikel 14 van Wet 96 van 1981, artikel 10 van Wet 96 van 1985, artikel 12 van Wet 85 van 1987, artikel 12 van Wet 90 van 1988, artikel 12 van Wet

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Act 96 of 1985, section 12 of Act 85 of 1987, section 12 of Act 90 of 1988, section 12 of Act 113 of 1993, section 11 of Act 46 of 1996, section 22 of Act 53 of 1999, section 20 of Act 59 of 2000, section 13 of Act 19 of 2001, section 30 of Act 60 of 2001, section 3 of Act 4 of 2008, section 30 of Act 7 of 2010, section 40 of Act 24 of 2011, section 45 of Act 31 of 2013, section 30 of Act 25 of 2015 and section 37 of Act 15 of 2016 5

13. (1) Section 13 of the Income Tax Act, 1962, is hereby amended—

(a) by the substitution for the heading of the following heading:

“Deductions in respect of buildings used in [a] process of manufacture or research and development”;

(b) by the substitution in subsection (1) for the words preceding paragraph (b) of the following words: 10

“Notwithstanding anything to the contrary contained in paragraph (ii) of the proviso to section 11(e), there shall be allowed to be deducted from the income of the taxpayer an allowance equal to two per cent of the cost (after the deduction of any amount referred to in subsection (3) **[or (7)]** or the corresponding provisions of any previous Income Tax Act) to the taxpayer of—”; 15

(c) by the substitution in subsection (1) for paragraphs (b) and (d), respectively, of the following paragraphs:

“(b) any building the erection of which was commenced by the taxpayer on or after the fifteenth day of March, 1961, if such building was wholly or mainly used by the taxpayer during the year of assessment for the purpose of carrying on therein in the course of his trade (other than mining or farming) any process of manufacture, research and development or any other process which is of a similar nature, or such building was let by the taxpayer and was wholly or mainly used by a tenant or subtenant for the purpose of carrying on therein any process as aforesaid in the course of any trade (other than mining or farming); **[or]** 20 25

(d) any building the erection of which was commenced on or after the fifteenth day of March, 1961, if such building has been acquired by the taxpayer by purchase from any other person who was entitled to an allowance in respect thereof under paragraph (b) or this paragraph or the corresponding provisions of any previous Income Tax Act, and such building was wholly or mainly used during the year of assessment by the taxpayer for the purpose of carrying on therein in the course of his trade (other than mining or farming) a process of manufacture, research and development or any other process which is of a similar nature, or such building was let by the taxpayer and was wholly or mainly used by a tenant or subtenant for the purpose of carrying on therein in the course of any trade (other than mining or farming) any process as aforesaid; **[or]”;** 30 35 40

(d) by the deletion in subsection (1) of paragraph (e);

(e) by the substitution in subsection (1) for paragraph (f) of the following paragraph: 45

“(f) any improvements (other than repairs) to any building, if such improvements were commenced on or after the first day of April, 1971, and such building was wholly or mainly used by the taxpayer during the year of assessment for the purpose of carrying on therein in the course of his trade (other than mining or farming) any process of manufacture, research and development or any other process which is of a similar nature, or such building was let by the taxpayer and was wholly or mainly used by a tenant or subtenant for the purpose of carrying on therein any process as aforesaid in the course of any trade (other than mining or farming);” 50 55

(f) by the substitution in subsection (1) for paragraph (b) of the proviso of the following paragraph:

“(b) in the case of any such building the erection of which has or is commenced on or after 1 January 1989 and any such improvements which have or are commenced on or after that date[, **other than any** 60

113 van 1993, artikel 11 van Wet 46 van 1996, artikel 22 van Wet 53 van 1999, artikel 20 van Wet 59 van 2000, artikel 13 van Wet 19 van 2001, artikel 30 van Wet 60 van 2001, artikel 3 van Wet 4 van 2008, artikel 30 van Wet 7 van 2010, artikel 40 van Wet 24 van 2011, artikel 45 van Wet 31 van 2013, artikel 30 van Wet 25 van 2015 en artikel 37 van Wet 15 van 2016

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13. (1) Artikel 13 van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur die opskrif deur die volgende opskrif te vervang:

“**Aftrekkings ten opsigte van geboue gebruik by [’n] vervaardigingsproses of navorsing en ontwikkeling**”;

(b) deur in subartikel (1) die woorde wat paragraaf (b) voorafgaan deur die volgende woorde te vervang:

“Ondanks andersluidende bepalings in paragraaf (ii) van die voorbehoudsbepaling by artikel 11(e) vervat, word ’n vermindering op die inkomste van die belastingpligtige afgetrek gelyk aan twee persent van die koste (na aftrekking van ’n bedrag in subartikel (3) [of (7)] of die ooreenstemmende bepalings van ’n vorige Inkomstebelastingwet bedoel) vir die belastingpligtige van—”;

(c) deur in subartikel (1) paragrafe (b) en (d) deur die volgende paragrafe, onderskeidelik, te vervang:

“(b) ’n gebou waarvan die oprigting deur die belastingpligtige op of na die vyftiende dag van Maart 1961₂ begin is, indien bedoelde gebou deur die belastingpligtige gedurende die jaar van aanslag geheel en al of hoofsaaklik in die loop van sy bedryf (behalwe mynbou of boerdery) gebruik is ten einde daarin ’n vervaardigingsproses, navorsing en ontwikkeling of ’n ander proses wat van dergelike aard is, uit te voer, of bedoelde gebou deur die belastingpligtige verhuur is en geheel en al of hoofsaaklik in die loop van ’n bedryf (behalwe mynbou of boerdery) deur ’n huurder of onderhuurder gebruik is ten einde ’n proses soos voormeld daarin uit te voer; [of]

(d) ’n gebou waarvan die oprigting op of na die vyftiende dag van Maart 1961₂ begin is, indien bedoelde gebou deur die belastingpligtige deur aankoop verkry is van iemand anders wat ingevolge paragraaf (b) of hierdie paragraaf of die ooreenstemmende bepalings van ’n vorige Inkomstebelastingwet op ’n vermindering ten opsigte daarvan geregtig was, en bedoelde gebou gedurende die jaar van aanslag geheel en al of hoofsaaklik gebruik is deur die belastingpligtige ten einde in die loop van sy bedryf (behalwe mynbou of boerdery) ’n vervaardigingsproses, navorsing en ontwikkeling of ’n ander proses wat van dergelike aard is, daarin uit te voer, of indien bedoelde gebou deur die belastingpligtige verhuur is en geheel en al of hoofsaaklik in die loop van ’n bedryf (behalwe mynbou of boerdery) deur ’n huurder of onderhuurder gebruik is om ’n proses soos voormeld daarin uit te voer; [of]”;

(d) deur in subartikel (1) paragraaf (e) te skrap;

(e) deur in subartikel (1) paragraaf (f) deur die volgende paragraaf te vervang:

“(f) verbeterings (behalwe herstelwerk) aan ’n gebou indien daardie verbeterings op of na die eerste dag van April 1971 begin is en bedoelde gebou gedurende die jaar van aanslag geheel en al of hoofsaaklik deur die belastingpligtige gebruik is in die loop van sy bedryf (behalwe mynbou of boerdery) ten einde daarin ’n vervaardigingsproses, navorsing en ontwikkeling of ’n ander proses wat van dergelike aard is, uit te voer, of bedoelde gebou deur die belastingpligtige verhuur is en geheel en al of hoofsaaklik in die loop van ’n bedryf (behalwe mynbou of boerdery) deur ’n huurder of onderhuurder gebruik is om ’n proses soos voormeld daarin uit te voer.”;

(f) deur in die voorbehoudsbepaling by subartikel (1) paragraaf (b) deur die volgende paragraaf te vervang:

“(b) in die geval van so ’n gebou waarvan die oprigting op of na 1 Januarie 1989 ’n aanvang geneem het of neem en enige bedoelde verbeterings wat op of na daardie datum ’n aanvang geneem het of

building or improvements in respect of which the increased allowance contemplated in paragraph (c) of this proviso applies,] the allowance under this subsection shall be increased to 5 per cent of the cost (after the deduction of any amount as provided in subsection (3)) to the taxpayer of such building or improvements; and”;

(g) by the substitution for subsection (2) of the following subsection:

“(2) The aggregate of the allowances allowed under subsection (1) or the corresponding provisions of any previous Income Tax Act, or deemed to have been allowed in terms of subsection (1A), in respect of any building or improvements shall not exceed the cost (after the deduction of any amount referred to in subsection (3) or the corresponding provisions of any previous Income Tax Act) of such building or improvements, as the case may be, less the aggregate of any allowances made to the taxpayer in respect of such building or improvements, as the case may be, under [subsection (7) or] section 11(g) or the corresponding provisions of any previous Income Tax Act.”; and

(h) by the insertion after subsection (2) of the following subsection:

“(2A) No deduction shall be allowed under this section in respect of any asset in respect of which a deduction has been granted to the taxpayer under section 12V.”.

(2) Paragraph (h) of subsection (1) comes into operation on 1 March 2026 and applies in respect of buildings or improvements brought into use on or after that date.

Amendment of section 13bis of Act 58 of 1962, as inserted by section 15 of Act 88 of 1965 and amended by section 18 of Act 55 of 1966, section 14 of Act 95 of 1967, section 14 of Act 88 of 1971, section 14 of Act 69 of 1975, section 13 of Act 94 of 1983, section 46 of Act 97 of 1986, section 13 of Act 90 of 1988, section 13 of Act 113 of 1993, section 12 of Act 21 of 1994, section 21 of Act 59 of 2000, section 4 of Act 4 of 2008, section 31 of Act 7 of 2010, section 31 of Act 25 of 2015, section 33 of Act 23 of 2018 and section 21 of Act 34 of 2019

14. Section 13bis of the Income Tax Act, 1962, is hereby amended by the deletion of subsections (2), (3), (4) and (9).

Amendment of section 13quat of Act 58 of 1962, as inserted by section 33 of Act 45 of 2003 and amended by section 12 of Act 16 of 2004, section 19 of Act 32 of 2004, section 23 of Act 31 of 2005, section 16 of Act 8 of 2007, section 5 of Act 4 of 2008, section 29 of Act 60 of 2008, sections 29 and 106 of Act 17 of 2009, section 33 of Act 7 of 2010, section 41 of Act 24 of 2011, section 34 of Act 22 of 2012, section 48 of Act 31 of 2013, section 32 of Act 25 of 2015, section 38 of Act 15 of 2016, section 34 of Act 23 of 2018, section 20 of Act 23 of 2020, section 16 of Act 20 of 2021 and section 21 of Act 17 of 2023

15. (1) Section 13quat of the Income Tax Act, 1962, is hereby amended

(a) by the substitution in subsection (5) for paragraphs (b) and (c), respectively, of the following paragraphs:

“(b) which has been disposed of by the taxpayer during any previous year of assessment; [or]

(c) which is brought into use by the taxpayer after 31 March 2025[.]; or”;

(b) by the addition in subsection (5) after paragraph (c) of the following paragraph:

“(d) in respect of which a deduction has been granted to the taxpayer under section 12V.”.

(2) Subsection (1) comes into operation on 1 March 2026 and applies in respect of any building, part thereof or improvement that is brought into use on or after that date.

neem[, behalwe 'n gebou of verbeterings ten opsigte waarvan die verhoogde vermindering in paragraaf (c) van hierdie voorbehoudsbepaling beoog van toepassing is], die vermindering ingevolge hierdie subartikel verhoog word na 5 persent van die koste (na die aftrekking van enige bedrag volgens voorskrif van subartikel (3)) vir die belastingpligtige van bedoelde gebou of verbeterings; en”;

(g) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Die totaal van die verminderings toegelaat ingevolge subartikel (1) of die ooreenstemmende bepalings van 'n vorige Inkomstebelastingwet, of geag toegelaat te gewees het ingevolge subartikel (1A), ten opsigte van 'n gebou of verbeterings gaan nie die koste (na aftrekking van enige bedrag in subartikel (3) of die ooreenstemmende bepalings van 'n vorige Inkomstebelastingwet bedoel) van daardie gebou of verbeterings, na gelang van die geval, min die som van enige verminderings aan die belastingpligtige ten opsigte van bedoelde gebou of verbeterings, na gelang van die geval, toegestaan ingevolge [subartikel (7) of] artikel 11(g) of die ooreenstemmende bepalings van 'n vorige Inkomstebelastingwet te bowe nie.”; en

(h) deur na subartikel (2) die volgende subartikel in te voeg:

“(2A) Geen aftrekking word kragtens hierdie artikel toegestaan nie ten opsigte van enige bate ten opsigte waarvan 'n aftrekking kragtens artikel 12V aan die belastingpligtige toegestaan is.”.

(2) Paragraaf (h) van subartikel (1) tree op 1 Maart 2026 in werking en is van toepassing ten opsigte van geboue of verbeterings op of na daardie datum in gebruik geneem.

Wysiging van artikel 13bis van Wet 58 van 1962, soos ingevoeg deur artikel 15 van Wet 88 van 1965 en gewysig deur artikel 18 van Wet 55 van 1966, artikel 14 van Wet 95 van 1967, artikel 14 van Wet 88 van 1971, artikel 14 van Wet 69 van 1975, artikel 13 van Wet 94 van 1983, artikel 46 van Wet 97 van 1986, artikel 13 van Wet 90 van 1988, artikel 13 van Wet 113 van 1993, artikel 12 van Wet 21 van 1994, artikel 21 van Wet 59 van 2000, artikel 4 van Wet 4 van 2008, artikel 31 van Wet 7 van 2010, artikel 31 van Wet 25 van 2015, artikel 33 van Wet 23 van 2018 en artikel 21 van Wet 34 van 2019

14. Artikel 13bis van die Inkomstebelastingwet, 1962, word hierby gewysig deur subartikels (2), (3), (4) en (9) te skrap.

Wysiging van artikel 13quat van Wet 58 van 1962, soos ingevoeg deur artikel 33 van Wet 45 van 2003 en gewysig deur artikel 12 van Wet 16 van 2004, artikel 19 van Wet 32 van 2004, artikel 23 van Wet 31 van 2005, artikel 16 van Wet 8 van 2007, artikel 5 van Wet 4 van 2008, artikel 29 van Wet 60 van 2008, artikels 29 en 106 van Wet 17 van 2009, artikel 33 van Wet 7 van 2010, artikel 41 van Wet 24 van 2011, artikel 34 van Wet 22 van 2012, artikel 48 van Wet 31 van 2013, artikel 32 van Wet 25 van 2015, artikel 38 van Wet 15 van 2016, artikel 34 van Wet 23 van 2018, artikel 20 van Wet 23 van 2020, artikel 16 van Wet 20 van 2021 en artikel 21 van Wet 17 van 2023

15. (1) Artikel 13quat van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (5) paragrafe (b) en (c), onderskeidelik, deur die volgende paragrafe te vervang:

“(b) waaroor in enige vorige jaar van aanslag deur die belastingpligtige beskik is; [of]

(c) wat na 31 Maart 2025 deur die belastingpligtige in gebruik geneem word[.]; of”;

(b) deur in subartikel (5) na paragraaf (c) die volgende paragrafe by te voeg:

“(d) ten opsigte waarvan 'n vermindering kragtens artikel 12V aan die belastingpligtige toegestaan is.”.

(2) Subartikel (1) tree op 1 Maart 2026 in werking en is van toepassing ten opsigte van enige gebou, gedeelte daarvan of verbetering wat op of na daardie datum in gebruik geneem is.

Amendment of section 20 of Act 58 of 1962, as amended by section 13 of Act 90 of 1964, section 18 of Act 88 of 1965, section 13 of Act 76 of 1968, section 18 of Act 89 of 1969, section 15 of Act 65 of 1973, section 8 of Act 101 of 1978, section 18 of Act 94 of 1983, section 19 of Act 101 of 1990, section 16 of Act 113 of 1993, section 17 of Act 21 of 1995, section 15 of Act 28 of 1997, section 26 of Act 30 of 2000, section 27 of Act 59 of 2000, section 23 of Act 74 of 2002, section 35 of Act 45 of 2003, section 19 of Act 8 of 2007, section 32 of Act 35 of 2007, section 15 of Act 3 of 2008, section 35 of Act 60 of 2008, section 32 of Act 17 of 2009, section 37 of Act 22 of 2012, section 54 of Act 31 of 2013, section 31 of Act 43 of 2014, section 39 of Act 15 of 2016, section 18 of Act 20 of 2021 and section 42 of Act 20 of 2022

16. (1) Section 20 of the Income Tax Act, 1962, is hereby amended—

(a) by the substitution in subsection (1)(a) for subparagraph (iii) of the following subparagraph:

“(iii) that is not a company, any balance of assessed loss incurred by that person in any previous year which has been carried forward from the preceding year of assessment: Provided that no person whose estate has been voluntarily or compulsorily sequestrated shall be entitled to carry forward any assessed loss incurred prior to the date of sequestration, unless the order of sequestration has been set aside, in which case the amount to be so carried forward shall be reduced by an amount which was allowed to be set off against the income of the insolvent estate of such person from the carrying on of any trade[.]”; and

(b) by the addition in subsection (1) to paragraph (a) of the following proviso:

“Provided that where a company has taken steps to liquidate, wind up or deregister as contemplated in section 41(4) and has not at any stage withdrawn any of those steps or done anything to invalidate any step so taken, with the result that the company will not be liquidated, wound up or deregistered, the amount of the balance of assessed loss that may be set off under subparagraph (i) or (ii) in relation to that company must not be limited to the higher of R1 million and 80 per cent of the amount of taxable income described in that subparagraph; or”.

(2) Subsection (1) comes into operation on 31 December 2024 and applies in respect of years of assessment ending on or after that date.

Amendment of section 23 of Act 58 of 1962, as amended by section 18 of Act 65 of 1973, section 20 of Act 121 of 1984, section 23 of Act 129 of 1991, section 20 of Act 141 of 1992, section 18 of Act 113 of 1993, section 15 of Act 21 of 1994, section 28 of Act 30 of 2000, section 21 of Act 30 of 2002, section 38 of Act 45 of 2003, section 13 of Act 16 of 2004, section 28 of Act 31 of 2005, section 17 of Act 20 of 2006, section 20 of Act 8 of 2007, section 37 of Act 60 of 2008, section 41 of Act 7 of 2010, sections 47 and 162 of Act 24 of 2011, section 271 of Act 28 of 2011, read with item 38 of Schedule 1 to that Act, section 42 of Act 22 of 2012, section 56 of Act 31 of 2013, section 33 of Act 43 of 2014, section 35 of Act 17 of 2017, section 39 of Act 23 of 2018, section 24 of Act 23 of 2020 and section 11 of Act 20 of 2022

17. Section 23 of the Income Tax Act, 1962, is hereby amended by the substitution for paragraph (d) of the following paragraph:

“(d) any tax or interest imposed under this Act or any interest or penalty imposed under any other Act administered by the Commissioner;”.

Wysiging van artikel 20 van Wet 58 van 1962, soos gewysig deur artikel 13 van Wet 90 van 1964, artikel 18 van Wet 88 van 1965, artikel 13 van Wet 76 van 1968, artikel 18 van Wet 89 van 1969, artikel 15 van Wet 65 van 1973, artikel 8 van Wet 101 van 1978, artikel 18 van Wet 94 van 1983, artikel 19 van Wet 101 van 1990, artikel 16 van Wet 113 van 1993, artikel 17 van Wet 21 van 1995, artikel 15 van Wet 28 van 1997, artikel 26 van Wet 30 van 2000, artikel 27 van Wet 59 van 2000, artikel 23 van Wet 74 van 2002, artikel 35 van Wet 45 van 2003, artikel 19 van Wet 8 van 2007, artikel 32 van Wet 35 van 2007, artikel 15 van Wet 3 van 2008, artikel 35 van Wet 60 van 2008, artikel 32 van Wet 17 van 2009, artikel 37 van Wet 22 van 2012, artikel 54 van Wet 31 van 2013, artikel 31 van Wet 43 van 2014, artikel 39 van Wet 15 van 2016, artikel 18 van Wet 20 van 2021 en artikel 42 van Wet 20 van 2022

16. (1) Artikel 20 van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (1)(a) subparagraaf (iii) deur die volgende subparagraaf te vervang:

“(iii) wat nie ’n maatskappy is nie, enige balans van ’n vasgestelde verlies deur daardie persoon in ’n vorige jaar gely wat van die vorige jaar van aanslag oorgebring is: Met dien verstande dat ’n persoon wie se boedel onder vrywillige of verpligte sekwestrasie geplaas is, nie geregtig is om ’n vasgestelde verlies voor die datum van sekwestrasie gely, oor te bring nie, tensy die sekwestrasiebevel tersyde gestel is, in welke geval die bedrag aldus oorgebring staan te word, verminder word met ’n bedrag wat toegelaat is om teen die inkomste in vergelyking gebring te gewees het van die insolvente boedel van bedoelde persoon uit die beoefening van ’n bedryf[.];” en

(b) deur in subartikel (1) by paragraaf (a) die volgende voorbehoudsbepaling by te voeg:

“Met dien verstande dat waar ’n maatskappy stappe gedoen het om te likwideer of te deregistreer soos in artikel 41(4) beoog en nie in enige stadium enige van daardie stappe teruggetrek het of enigiets gedoen het om enige stap aldus gedoen ongeldig te maak nie, met die gevolg dat die maatskappy nie gelikwideer sal word nie, moet die bedrag van die vasgestelde verlies wat kragtens subparagraaf (i) of (ii) met betrekking tot daardie maatskappy verreken mag word, nie tot die meeste van R1 miljoen en 80 persent van die bedrag van belasbare inkomste in daardie subparagraaf beskryf, beperk word nie; of”.

(2) Subartikel (1) tree op 31 Desember 2024 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum eindig.

Wysiging van artikel 23 van Wet 58 van 1962, soos gewysig deur artikel 18 van Wet 65 van 1973, artikel 20 van Wet 121 van 1984, artikel 23 van Wet 129 van 1991, artikel 20 van Wet 141 van 1992, artikel 18 van Wet 113 van 1993, artikel 15 van Wet 21 van 1994, artikel 28 van Wet 30 van 2000, artikel 21 van Wet 30 van 2002, artikel 38 van Wet 45 van 2003, artikel 13 van Wet 16 van 2004, artikel 28 van Wet 31 van 2005, artikel 17 van Wet 20 van 2006, artikel 20 van Wet 8 van 2007, artikel 37 van Wet 60 van 2008, artikel 41 van Wet 7 van 2010, artikels 47 en 162 van Wet 24 van 2011, artikel 271 van Wet 28 van 2011, gelees met item 38 van Bylae 1 by daardie Wet, artikel 42 van Wet 22 van 2012, artikel 56 van Wet 31 van 2013, artikel 33 van Wet 43 van 2014, artikel 35 van Wet 17 van 2017, artikel 39 van Wet 23 van 2018, artikel 24 van Wet 23 van 2020 en artikel 11 van Wet 20 van 2022

17. Artikel 23 van die Inkomstebelastingwet, 1962, word hierby gewysig deur paragraaf (d) deur die volgende paragraaf te vervang:

“(d) enige belasting of rente kragtens hierdie Wet[,] gehef of enige rente of boete gehef kragtens enige ander Wet wat deur die Kommissaris geadministreer word;”.

Amendment of section 23M of Act 58 of 1962, as inserted by section 16 of Act 31 of 2013 and amended by section 37 of Act 43 of 2014, section 41 of Act 15 of 2016, section 39 of Act 17 of 2017, section 41 of Act 23 of 2018, section 28 of Act 34 of 2019, section 19 of Act 20 of 2021, section 12 of Act 20 of 2022 and section 26 of Act 17 of 2023

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18. Section 23M of the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution in subsection (3) for the words following paragraph (b) of the following words:

“reduced by so much of any amount of deductible interest incurred by the debtor in respect of debts other than debts contemplated in subsection (2) as exceeds any amount not allowed to be deducted in terms of section 23N.”; and

- (b) by the substitution for subsection (4) of the following subsection:

“(4) So much of any amount of interest as exceeds the amount determined in terms of subsection (3) may be carried forward to the immediately succeeding year of assessment and, subject to subsection (2), must be deemed to be an amount of interest incurred in that succeeding year of assessment in respect of a debt owed to a creditor that is not subject to tax on that interest.”.

Amendment of section 23N of Act 58 of 1962, as inserted by section 63 of Act 31 of 2013 and amended by section 38 of Act 43 of 2014, section 40 of Act 25 of 2015, section 42 of Act 15 of 2016, section 40 of Act 17 of 2017 and section 42 of Act 23 of 2018

19. (1) Section 23N of the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution in subsection (1) in the definition of “adjusted taxable income” for the words preceding paragraph (a) of the following words:

“**‘adjusted taxable income’** means taxable income calculated before applying this section and before setting off any balance of assessed loss that has been carried forward from the preceding year of assessment: Provided that the result of the calculation may not be less than zero—”; and

- (b) by the deletion in subsection (1) in the definition of “adjusted taxable income” in paragraph (b) of subparagraph (iv);

- (c) by the deletion in subsection (1) of the definition of “average repo rate”;

- (d) by the deletion in subsection (1) of the definition of “repo rate”;

- (e) by the substitution in subsection (3) in paragraph (b) for the words preceding subparagraph (i) of the following words:

“the highest of the amounts determined by multiplying **[the percentage determined under subsection (4)]** by 0,3 the adjusted taxable income of the acquiring company for each of the years of assessment—”; and

- (f) by the deletion of subsection (4).

(2) Paragraph (a) of subsection (1) comes into operation on 1 January 2025 and applies in respect of years of assessment commencing on or after that date.

(3) Paragraphs (b) to (f) of subsection (1) come into operation on 1 January 2027 and apply in respect of years of assessment commencing on or after that date.

Amendment of section 24I of Act 58 of 1962, as inserted by section 21 of Act 113 of 1993 and amended by section 11 of Act 140 of 1993, section 18 of Act 21 of 1994, section 13 of Act 36 of 1996, section 18 of Act 28 of 1997, section 35 of Act 30 of 1998, section 26 of Act 53 of 1999, section 31 of Act 59 of 2000, section 36 of Act 60 of 2001, section 27 of Act 74 of 2002, section 42 of Act 45 of 2003, section 23 of Act 32 of 2004, section 33 of Act 31 of 2005, section 26 of Act 9 of 2006, section 19 of Act 20 of 2006, section 23 of Act 8 of 2007, section 40 of Act 35 of 2007, section 20 of Act 3 of 2008, section 38 of Act 17 of 2009, section 47 of Act 7 of 2010, section 52 of Act 24 of 2011, section 53 of Act 22 of 2012, section 68 of Act 31 of 2013, section 40 of Act 43 of 2014, section 44 of Act 25 of 2015, section 44 of Act 15 of 2016, section 42 of Act 17 of 2017,

Wysiging van artikel 23M van Wet 58 van 1962, soos ingevoeg deur artikel 16 van Wet 31 van 2013 en gewysig deur artikel 37 van Wet 43 van 2014, artikel 41 van Wet 15 van 2016, artikel 39 van Wet 17 van 2017, artikel 41 van Wet 23 van 2018, artikel 28 van Wet 34 van 2019, artikel 19 van Wet 20 van 2021, artikel 12 van Wet 20 van 2022 en artikel 26 van Wet 17 van 2023

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18. Artikel 23M van die Inkomstebelastingwet, 1962, word hierby gewysig—

- (a) deur in subartikel (3) die woorde wat op paragraaf (b) volg deur die volgende woorde te vervang:

“verminder met soveel van enige bedrag aftrekbare rente aangegaan deur die skuldenaar ten opsigte van skulde buiten skulde beoog in subartikel (2) soos wat enige bedrag te bowe gaan wat nie ingevolge artikel 23N toegelaat word om afgetrek te word nie.”; en

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- (b) deur subartikel (4) deur die volgende subartikel te vervang:

“(4) Soveel van enige bedrag van rente as wat die bedrag bepaal ingevolge subartikel (3) oorskry, mag oorgedra word na die onmiddellik daaropvolgende jaar van aanslag en moet, behoudens subartikel (2), geag word ’n bedrag van rente in daardie daaropvolgende jaar van aanslag aangegaan te wees ten opsigte van ’n skuld verskuldig aan ’n krediteur wat nie aan belasting op daardie rente onderhewig is nie.”.

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Wysiging van artikel 23N van Wet 58 van 1962, soos ingevoeg deur artikel 63 van Wet 31 van 2013 en gewysig deur artikel 38 van Wet 43 van 2014, artikel 40 van Wet 25 van 2015, artikel 42 van Wet 15 van 2016, artikel 40 van Wet 17 van 2017 en artikel 42 van Wet 23 van 2018

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19. (1) Artikel 23N van die Inkomstebelastingwet, 1962, word hierby gewysig—

- (a) deur in subartikel (1) in die omskrywing van “aangepaste belasbare inkomste” die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

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“ ‘aangepaste belasbare inkomste’ belasbare inkomste bereken voor toepassing van hierdie artikel en voor verrekening van enige balans van vasgestelde verlies wat van die voorafgaande jaar van aanslag oorgedra is: Met dien verstande dat die resultaat van die berekening nie minder as nul mag wees nie—”;

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- (b) deur in subartikel (1) in die omskrywing van “aangepaste belasbare inkomste” in paragraaf (b) subparagraaf (iv) te skrap;

- (c) deur in subartikel (1) die omskrywing van “gemiddelde repokoers” te skrap;

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- (d) deur in subartikel (1) die omskrywing van “repokoers” te skrap;

- (e) deur in subartikel (3) in paragraaf (b) die woorde wat subparagraaf (i) voorafgaan deur die volgende woorde te vervang:

“die hoogste van die bedrae bereken deur **[die persentasie bepaal kragtens subartikel (4)] 0,3** te vermenigvuldig met die aangepaste belasbare inkomste van die verkrygende maatskappy vir elk van die jare van aanslag—”; en

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- (f) deur subartikel (4) te skrap.

(2) Paragraaf (a) van subartikel (1) tree op 1 Januarie 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

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(3) Paragraaf (b) tot (f) van subartikel (1) tree op 1 Januarie 2027 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

Wysiging van artikel 24I van Wet 58 van 1962, soos ingevoeg deur artikel 21 van Wet 113 van 1993 en gewysig deur artikel 11 van Wet 140 van 1993, artikel 18 van Wet 21 van 1994, artikel 13 van Wet 36 van 1996, artikel 18 van Wet 28 van 1997, artikel 35 van Wet 30 van 1998, artikel 26 van Wet 53 van 1999, artikel 31 van Wet 59 van 2000, artikel 36 van Wet 60 van 2001, artikel 27 van Wet 74 van 2002, artikel 42 van Wet 45 van 2003, artikel 23 van Wet 32 van 2004, artikel 33 van Wet 31 van 2005, artikel 26 van Wet 9 van 2006, artikel 19 van Wet 20 van 2006, artikel 23 van Wet 8 van 2007, artikel 40 van Wet 35 van 2007, artikel 20 van Wet 3 van 2008, artikel 38 van Wet 17 van 2009, artikel 47 van Wet 7 van 2010, artikel 52 van Wet 24 van 2011, artikel 53 van Wet 22 van 2012, artikel 68 van Wet 31 van 2013, artikel 40 van Wet 43 van 2014, artikel 44 van Wet 25 van 2015, artikel 44 van Wet 15 van

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section 43 of Act 23 of 2018, section 30 of Act 34 of 2019 and section 27 of Act 17 of 2023

20. (1) Section 24I of the Income Tax Act, 1962, is hereby amended—
- (a) by the substitution in subsection (1) in the definition of “exchange item” for paragraphs (c) and (d), respectively, of the following paragraphs: 5
- “(c) owed by or to that person in respect of a forward exchange contract;
[or]
- (d) where that person has the right or contingent obligation to buy or sell that amount in terms of a foreign currency option contract; or”;
- (b) by the addition in subsection (1) in the definition of “exchange item” after paragraph (d) of the following paragraph: 10
- “(e) that constitutes a preference share, as defined in section 8EA(1), in a foreign company;”;
- (c) by the substitution for the words in subsection (3) preceding paragraph (a) of the following words: 15
- “In determining the taxable income of any person contemplated in subsection (2), other than a company that is not carrying on a trade during a year of assessment, there shall be included in or deducted from the income, as the case may be, of that person—”;
- (d) by the insertion after subsection (3) of the following subsection: 20
- “(3A) In determining the taxable income of a company that is not carrying on a trade during a year of assessment and where—
- (a) the aggregate amount of foreign exchange gains and premiums or like consideration received in terms of foreign currency option contracts exceeds the aggregate amount of foreign exchange losses, premiums or like consideration paid in terms of foreign currency option contracts and consideration paid in respect of foreign currency option contracts, there must, subject to subsection (10A), be included in the income of that company the net amount of the excess; or 25
- (b) the aggregate amount of foreign exchange losses, premiums or like consideration paid in terms of foreign currency option contracts and consideration paid in respect of foreign currency option contracts exceeds the aggregate amount of foreign exchange gains and premiums or like consideration received in terms of foreign currency option contracts, the net amount of the excess is deemed to be an exchange loss of that company in the immediately succeeding year of assessment.”; 30
- (e) by the substitution in subsection (4)(b) for subparagraph (ii) of the following subparagraph: 35
- “(ii) **[the amount of]** any foreign exchange loss, relating to the debt as described in paragraph (a) or (b), that is or was deducted from the income of that person or taken into account under section (3A) in the current or any previous year of assessment must be included in the income of that person.”; 40
- (f) by the substitution for subsection (6) of the following subsection: 45
- “(6) Any inclusion in, or deduction from, income in terms of this section or any amount taken into account under subsection (3A) shall be in lieu of any deduction or inclusion which may otherwise be allowed or included under any other provision of this Act.”; 50
- (g) by the substitution for subsection (8) of the following subsection: 55
- “(8) Any foreign exchange loss sustained in respect of a transaction entered into by a person, or any premium or other consideration paid in respect of or in terms of a foreign currency option contract entered into or acquired by a person, shall not be allowed as a deduction from such person’s income under subsection (3) or taken into account under subsection (3A), if such transaction was entered into or such foreign

2016, artikel 42 van Wet 17 van 2017, artikel 43 van Wet 23 van 2018, artikel 30 van Wet 34 van 2019 en artikel 27 van Wet 17 van 2023

20. (1) Artikel 24I van die Inkomstebelastingwet, 1962, word hierby gewysig—
- (a) deur in subartikel (1) in die omskrywing van “valuta-item” paragrawe (c) en (d), onderskeidelik, deur die volgende paragrawe te vervang: 5
- “(c) deur of aan daardie persoon verskuldig ten opsigte van ’n valutatermynterminkontrak; **[of]**
- (d) waar daardie persoon die reg of voorwaardelike aanspreeklikheid het om daardie bedrag ingevolge ’n buitelandse valuta-opsiekontrak te koop of te verkoop; **of**”; 10
- (b) deur in subartikel (1) by die omskrywing van “valuta-item” na paragraaf (d) die volgende paragraaf by te voeg: 10
- “(e) wat ’n voorkeuraandeel, soos in artikel 8EA(1) omskryf, in ’n buitelandse maatskappy uitmaak.”;
- (c) deur in subartikel (3) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang: 15
- “By die vasstelling van die belasbare inkomste van ’n persoon in subartikel (2) bedoel, behalwe ’n maatskappy wat nie tydens ’n jaar van aanslag ’n bedryf loop nie, word daar by of van die inkomste van daardie persoon ingesluit of afgetrek, na gelang van die geval—”; 20
- (d) deur die volgende subartikel na subartikel (3) in te voeg: 20
- “(3A) By die vasstelling van die belasbare inkomste van ’n maatskappy wat tydens ’n jaar van aanslag nie ’n bedryf loop nie en waar—
- (a) die totale bedrag van buitelandse valutawinste en premies of soortgelyke oorwegings wat ontvang is ingevolge buitelandse valuta-opsiekontrakte meer is as die totale bedrag van buitelandse valutaverliese, premies of soortgelyke oorweging betaal ingevolge buitelandse valuta-opsiekontrakte, moet daar, behoudens subartikel (10A), die nettobedrag van die oorskot by die inkomste van daardie maatskappy ingesluit word; of 25
- (b) die totale bedrag van buitelandse valutaverliese, premies of soortgelyke oorweging betaal ingevolge buitelandse valuta-opsiekontrakte en oorweging geskenk aan buitelandse valuta-opsiekontrakte die totale bedrag oorskry van buitelandse valutawinste en premies of soortgelyke oorweging ontvang ingevolge buitelandse valuta-opsiekontrakte, word die nettobedrag van die oorskot geag ’n valutaverlies van daardie maatskappy te wees in die onmiddellik daaropvolgende jaar van aanslag.”; 30
- (e) deur in subartikel (4)(b) subparagraaf (ii) deur die volgende subparagraaf te vervang: 40
- “(ii) **[die bedrag van]** enige buitelandse valutaverliese, met betrekking tot die skuld soos **[beoog]** in paragraaf (a) **[en]** of (b) beskryf, wat afgetrek word of **[was]** is van die inkomste van daardie persoon of in berekening gebring ingevolge subartikel (3A) in die huidige of enige vorige jaar van aanslag ingesluit word in die inkomste van daardie persoon.”; 45
- (f) deur subartikel (6) deur die volgende subartikel te vervang: 50
- “(6) Enige insluiting in, of aftrekking van, inkomste ingevolge hierdie artikel of enige bedrag wat kragtens subartikel (3A) in berekening gebring word, geskied in plaas van enige aftrekking of insluiting wat andersins ingevolge enige ander bepaling van hierdie Wet toegestaan of ingesluit mag word.”; 50
- (g) deur subartikel (8) deur die volgende subartikel te vervang: 55
- “(8) Enige buitelandse valutaverlies gely ten opsigte van ’n transaksie deur ’n persoon aangegaan, of enige premie of ander vergoeding betaal ten opsigte van of ingevolge ’n buitelandse valuta-opsiekontrak deur ’n persoon aangegaan of verkry, word nie as ’n aftrekking van bedoelde persoon se inkomste ingevolge subartikel (3) toegestaan of kragtens subartikel (3A) in berekening gebring nie, indien bedoelde transaksie aangegaan is of bedoelde buitelandse valuta-opsiekontrak aangegaan is 60

- currency option contract was entered into or acquired solely or mainly to enjoy a reduction in tax by way of a deduction from income.”;
- (h) by the substitution in subsection (10A) for the words in paragraph (a) preceding subparagraph (i) of the following words:
- “Subject to paragraph (b), no exchange difference arising during any year of assessment in respect of an exchange item contemplated in paragraph (b) of the definition of ‘exchange item’ shall be included in or deducted from the income of a person in terms of this section or taken into account under subsection (3A)—”; and
- (i) by the substitution in subsection (10A) for paragraph (b) of the following paragraph:
- “(b) Where paragraph (a) was applied during any year of assessment to any exchange difference in respect of an exchange item and—
- (i) that exchange difference was not included in nor deducted from the income of a person in that year of assessment under subsection (3) or taken into account under subsection (3A); and
- (ii) during any year of assessment—
- (aa) subsequent to that year of assessment, paragraph (a) no longer applies to that exchange difference; or
- (bb) that exchange item is realised, an amount in respect of that exchange item must be included in or deducted from the income of that person under subsection (3) or taken into account under subsection (3A) in that subsequent year of assessment or in the year of assessment during which the exchange item is realised which amount shall be determined by multiplying that exchange item by the difference between the ruling exchange rate on the last day of the year of assessment immediately preceding that subsequent year of assessment and the ruling exchange rate on transaction date, less any amount of the exchange differences included in or deducted from the income of that person in terms of this section or taken into account under subsection (3A) in respect of that exchange item for all years of assessment preceding that subsequent year of assessment during which the person was a party to the contractual provisions of the exchange item.”.

(2) Subsection (1) comes into operation on 1 January 2025 and applies in respect of years of assessment commencing on or after that date.

Amendment of section 24JB of Act 58 of 1962, as inserted by section 56 of Act 22 of 2012, substituted by section 71 of Act 31 of 2013 and amended by section 43 of Act 43 of 2014, section 46 of Act 15 of 2016, section 44 of Act 17 of 2017, section 44 of Act 23 of 2018 and section 27 of Act 23 of 2020

21. (1) Section 24JB of the Income Tax Act, 1962, is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) Any amount contemplated in the definition of ‘gross income’ or any amount required to be taken into account in determining the taxable income in terms of any provision of Part I of Chapter II, or in determining any assessed capital loss of a covered person in respect of a financial asset or a financial liability contemplated in subsection (2) must only be taken into account in terms of this section.”.

(2) Subsection (1) comes into operation on 31 December 2024 and applies in respect of years of assessment ending on or after that date.

- of verkry is uitsluitlik of hoofsaaklik om 'n belastingvermindering te geniet by wyse van 'n aftrekking van inkomste.”;
- (h) deur in subartikel (10A) die woorde in paragraaf (a) wat subparagraaf (i) voorafgaan deur die volgende woorde te vervang:
- “Behoudens paragraaf (b) word geen valutaverskil wat gedurende enige jaar van aanslag voorkom ten opsigte van 'n valuta-item beoog in paragraaf (b) van die omskrywing van 'valuta-item' ingesluit by of afgetrek van die inkomste van 'n persoon ingevolge hierdie artikel nie of kragtens subartikel (3A) in berekening gebring nie—”; en
- (i) deur in subartikel (10A) paragraaf (b) deur die volgende paragraaf te vervang:
- “(b) Waar paragraaf (a) gedurende enige jaar van aanslag toegepas is op enige valutaverskil ten opsigte van 'n valuta-item en—
- (i) daardie valutaverskil nie ingesluit by of afgetrek van die inkomste van 'n persoon in daardie jaar van aanslag was nie kragtens subartikel (3) of kragtens subartikel (3A) in berekening gebring nie; en
- (ii) gedurende enige jaar van aanslag—
- (aa) wat volg op daardie jaar van aanslag, paragraaf (a) nie meer op daardie valutaverskil van toepassing is nie; of
- (bb) daardie valuta-item gerealiseer word, word 'n bedrag ten opsigte van daardie valuta-item ingesluit by of afgetrek van die inkomste van daardie persoon kragtens subartikel (3) of kragtens subartikel (3A) in berekening gebring in daardie daaropvolgende jaar van aanslag of in die jaar van aanslag waartydens die valuta-item gerealiseer word welke bedrag bepaal word deur daardie valuta-item te vermenigvuldig met die verskil tussen die heersende wisselkoers op die laaste dag van die jaar van aanslag onmiddellik voor daardie daaropvolgende jaar van aanslag en die heersende wisselkoers op die transaksiedatum, minus enige bedrag van die valutaverskil ingesluit by of afgetrek van die inkomste van daardie persoon ingevolge hierdie artikel of kragtens subartikel (3A) in berekening gebring ten opsigte van daardie valuta-item vir alle jare van aanslag wat daardie daaropvolgende jaar van aanslag waartydens die persoon 'n party by die kontraktuele bepalings van die valuta-item was, voorafgaan.”.
- (2) Subartikel (1) tree op 1 Januarie 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

Wysiging van artikel 24JB van Wet 58 van 1962, soos ingevoeg deur artikel 56 van Wet 22 van 2012, vervang deur artikel 71 van Wet 31 van 2013 en gewysig deur artikel 43 van Wet 43 van 2014, artikel 46 van Wet 15 van 2016, artikel 44 van Wet 17 van 2017, artikel 44 van Wet 23 van 2018 en artikel 27 van Wet 23 van 2020

21. (1) Artikel 24JB van die Inkomstebelastingwet, 1962, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Enige bedrag in die omskrywing van 'bruto inkomste' beoog of enige bedrag wat vereis word om in berekening gebring te word by die bepaling van die belasbare inkomste ingevolge enige bepaling van Deel I van Hoofstuk II of in die vasstelling van enige vasgestelde kapitaalverlies van 'n gedekte persoon ten opsigte van 'n finansiële bate of 'n finansiële las beoog in subartikel (2) moet slegs ingevolge hierdie artikel in berekening gebring word.”.

(2) Subartikel (1) tree op 31 Desember 2024 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum eindig.

Amendment of section 25BB of Act 58 of 1962, as inserted by section 59 of Act 22 of 2012, substituted by section 74 of Act 31 of 2013 and amended by section 45 of Act 43 of 2014, section 50 of Act 25 of 2015, section 48 of Act 15 of 2016, section 45 of Act 17 of 2017, section 49 of Act 23 of 2018, section 32 of Act 34 of 2019 and section 29 of Act 23 of 2020

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22. Section 25BB of the Income Tax Act, 1962, is hereby amended—

(a) by the substitution in subsection (1) in paragraph (b) of the definition of “rental income” for subparagraph (v) of the following subparagraph:

“(v) any amount recovered or recouped in terms of section 8(4) in respect of an amount of an allowance previously deducted in terms of section 11(g), 12B, 12BA, 13, 13bis, 13ter, 13quat, 13quin or 13sex; and”;

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(b) by the substitution for subsection (4) of the following subsection:

“(4) A company that is a REIT or a controlled company on the last day of a year of assessment may not deduct by way of an allowance any amount in respect of immovable property in terms of section 11(g), 12B, 12BA, 13, 13bis, 13ter, 13quat, 13quin or 13sex.”.

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Substitution of section 25E of Act 58 of 1962, as inserted by section 30 of Act 17 of 2023

23. (1) Section 25E of the Income Tax Act, 1962, is hereby substituted for the following section: 20

“25E. [Any] Where the functional currency of a company is—

(a) the currency of the Republic and any amount referred to in [paragraphs (a) and (b)] paragraphs (a)(i), (ii) or (iii) or (b)(i), (ii) or (iii) of the definition of ‘contributed tax capital’ [in section 1 that] is denominated in any currency other than the currency of the Republic[,]; or 25

(b) any currency other than the currency of the Republic and any amount referred to in paragraphs (a)(aa), (bb) or (cc) or (b)(aa), (bb) or (cc) of the definition of ‘contributed tax capital’ is denominated in any currency other than the currency of the Republic, 30

that amount must be translated to the currency of the Republic by applying the spot rate on the date on which that amount must be taken into account for purposes of the determination of contributed tax capital.”.

(2) Subsection (1) comes into operation on 1 January 2025.

Amendment of section 28 of Act 58 of 1962, as amended by section 17 of Act 90 of 1962, section 22 of Act 55 of 1966, section 24 of Act 89 of 1969, section 21 of Act 88 of 1971, section 19 of Act 65 of 1973, section 19 of Act 91 of 1982, section 22 of Act 94 of 1983, section 17 of Act 65 of 1986, section 23 of Act 90 of 1988, section 13 of Act 70 of 1989, section 25 of Act 101 of 1990, section 29 of Act 129 of 1991, section 24 of Act 113 of 1993, section 19 of Act 21 of 1994, section 33 of Act 30 of 2000, section 42 of Act 35 of 2007, section 40 of Act 60 of 2008, section 40 of Act 17 of 2009, section 51 of Act 7 of 2010, section 61 of Act 22 of 2012, section 76 of Act 31 of 2013, section 52 of Act 25 of 2015, section 49 of Act 15 of 2016, section 50 of Act 23 of 2018, section 33 of Act 34 of 2019, section 21 of Act 20 of 2021, section 14 of Act 20 of 2022 and section 31 of Act 17 of 2023 45

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24. (1) Section 28 of the Income Tax Act, 1962, is hereby amended—

(a) by the substitution in subsection (2)(a) for subparagraph (i) of the following subparagraph:

“(i) an amount equal to the sum of insurance revenue for insurance contracts and net earned premiums for investment contracts, which are determined in accordance with IFRS as reported by the insurer to shareholders in the audited financial statements, other than any reinsurance due to a cell owner as contemplated in the definition of ‘cell structure’ in section 1 of the Insurance Act, [in respect of ‘third party risks’ as defined in that section of that 55

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Wysiging van artikel 25BB van Wet 58 van 1962, soos ingevoeg deur artikel 59 van Wet 22 van 2012, vervang deur artikel 74 van Wet 31 van 2013 en gewysig deur artikel 45 van Wet 43 van 2014, artikel 50 van Wet 25 van 2015, artikel 48 van Wet 15 van 2016, artikel 45 van Wet 17 van 2017, artikel 49 van Wet 23 van 2018, artikel 32 van Wet 34 van 2019 en artikel 29 van Wet 23 van 2020

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22. Artikel 25BB van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (1) in paragraaf (b) van die omskrywing van “huur-inkomste” subparagraaf (v) deur die volgende subparagraaf te vervang:

“(v) enige bedrag verhaal of vergoed ingevolge artikel 8(4) ten opsigte van ’n bedrag of ’n toelae voorheen afgetrek ingevolge artikel 11(g), 12B, 12BA, 13, 13bis, 13ter, 13quat, 13quin of 13sex verteenwoordig;” en

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(b) deur subartikel (4) deur die volgende subartikel te vervang:

“(4) ’n Maatskappy wat ’n EIT of ’n beheerde maatskappy is op die laaste dag van ’n jaar van aanslag mag nie by wyse van ’n toelae enige bedrag ten opsigte van onroerende eiendom ingevolge artikel 11(g), 12B, 12BA, 13, 13bis, 13ter, 13quat, 13quin of 13sex aftrek nie.”.

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Vervanging van artikel 25E van Wet 58 van 1962, soos ingevoeg deur artikel 30 van Wet 17 van 2023

23. (1) Artikel 25E van die Inkomstebelastingwet, 1962, word hierby deur die volgende artikel vervang:

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“25E. [Enige] Waar die funksionele geldeenheid van ’n maatskappy—

(a) die geldeenheid van die Republiek is en enige bedrag bedoel in [paragrafe

(a) en (b)] paragrawe (a)(i), (ii) of (iii) of (b)(i), (ii) of (iii) van die omskrywing van ‘toegevoegde belastingkapitaal’ [in artikel 1] wat in enige ander geldeenheid as die geldeenheid van die Republiek aangedui word[.]; of

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(b) enige geldeenheid anders as die geldeenheid van die Republiek is en enige bedrag in paragrawe (a)(aa), (bb) of (cc) of (b)(aa), (bb) of (cc) van die omskrywing van ‘toegevoegde belastingkapitaal’ bedoel, in enige geldeenheid anders as die geldeenheid van die Republiek aangedui is,

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moet daardie bedrag omgerek word na die geldeenheid van die Republiek deur toepassing van die kontantkoers op die datum waarop daardie bedrag by die bepaling van toegevoegde belastingkapitaal in berekening gebring moet word.”.

(2) Subartikel (1) tree op 1 Januarie 2025 in werking.

Wysiging van artikel 28 van Wet 58 van 1962, soos gewysig deur artikel 17 van Wet 90 van 1962, artikel 22 van Wet 55 van 1966, artikel 24 van Wet 89 van 1969, artikel 21 van Wet 88 van 1971, artikel 19 van Wet 65 van 1973, artikel 19 van Wet 91 van 1982, artikel 22 van Wet 94 van 1983, artikel 17 van Wet 65 van 1986, artikel 23 van Wet 90 van 1988, artikel 13 van Wet 70 van 1989, artikel 25 van Wet 101 van 1990, artikel 29 van Wet 129 van 1991, artikel 24 van Wet 113 van 1993, artikel 19 van Wet 21 van 1994, artikel 33 van Wet 30 van 2000, artikel 42 van Wet 35 van 2007, artikel 40 van Wet 60 van 2008, artikel 40 van Wet 17 van 2009, artikel 51 van Wet 7 van 2010, artikel 61 van Wet 22 van 2012, artikel 76 van Wet 31 van 2013, artikel 52 van Wet 25 van 2015, artikel 49 van Wet 15 van 2016, artikel 50 van Wet 23 van 2018, artikel 33 van Wet 34 van 2019, artikel 21 van Wet 20 van 2021, artikel 14 van Wet 20 van 2022 en artikel 31 van Wet 17 van 2023

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24. (1) Artikel 28 van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (2)(a) subparagraaf (i) deur die volgende subparagraaf te vervang:

“(i) ’n bedrag gelyk aan die som van versekeringsinkomste vir versekeringskontrakte en netto verdiende premies vir beleggingskontrakte, wat ooreenkomstig IFRS vasgestel word soos deur die versekeraar verslag oor gedoen aan aandeelhouders in die geouditeerde finansiële jaarstate, anders as enige herversekering verskuldig aan ’n seleienaar soos beoog in die omskrywing van ‘selstruktuur’ in artikel 1 van die Versekeringswet, [ten opsigte van ‘derdepartyrisiko’s’ soos omskryf in daardie artikel van

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Act,] which is included in that insurance revenue in accordance with IFRS; and”;

- (b) by the substitution for subsection (3) of the following subsection:

“(3) Subject to subsection (3A) and notwithstanding section 23(e), for the purpose of determining the taxable income derived during any year of assessment by any short-term insurer from carrying on short-term insurance business, there shall be allowed as a deduction from the income of that short-term insurer an amount equal to—

(a) the sum of liabilities for incurred claims relating to short-term insurance business in respect of the policies of the insurer, net of amounts recognised in respect of reinsurance contracts for liabilities for incurred claims; and

(b) the liability for claims, net of amounts recognised in respect of reinsurance contracts, in relation to investment contracts entered into by a short-term insurer in the course of carrying on short-term insurance business,

which are determined in accordance with IFRS as reported by the insurer to shareholders in the audited annual financial statements: Provided that liabilities for incurred claims shall be—

- (i) increased by the amount of insurance and reinsurance receivable balances; and
(ii) decreased by the amount of insurance and reinsurance creditor balances,

which are taken into account in the determination of the liabilities for incurred claims in accordance with IFRS as reported by the issuer to shareholders in the audited annual financial statements: Provided further that any amount that is payable to or receivable from a cell owner, referred to in the definition of ‘cell structure’ in section 1 of the Insurance Act, which does not relate to a policy, must be disregarded.”;

- (c) by the substitution in subsection (3A) in paragraph (b) for the words following item (cc) of the following words:

“the amounts of which are determined in accordance with IFRS as annually reported by the insurer to shareholders in the audited annual financial statements in respect of branch policies and in respect of subparagraphs (i), (iii), items (aa) and (bb) are limited to amounts relating to liabilities for incurred claims: Provided that any amount that is payable to or receivable from a cell owner, referred to in the definition of ‘cell structure’ in section 1 of the Insurance Act, **in respect of ‘third party risks’ as defined in that section of that Act]** that does not relate to a policy, must be disregarded: Provided further that the amount may not be less than zero;”;

- (d) by the substitution in subsection (3C) for paragraphs (a), (b), respectively, of the following paragraphs:

“(a) include in its income an amount equal to the **[difference between]** amounts recoverable by that short-term insurer in respect of claims incurred under a short-term policy issued by that short-term insurer at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, that has not been received by that short-term insurer by the end of that year of assessment;

(b) deduct the liabilities for remaining coverage, **[net of] reduced by** reinsurance, calculated for the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied at the end of that year of assessment or include in its income the liabilities for remaining coverage, net of reinsurance, calculated for the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied at the end of that year of assessment; **[and]**”;

- (e) by the insertion in subsection (3C) after paragraph (b) of the following paragraph:

“(bA) include in its income the absolute value whereby the amount of liabilities for remaining coverage is exceeded by the amount of reinsurance, calculated for the latest year of assessment com-

daardie Wet,] wat ingesluit is in daardie versekeringsinkomste ooreenkomstig IFRS; en”;

- (b) deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Behoudens subartikel (3A) en ondanks artikel 23(e), vir die doel van die berekening van die belasbare inkomste verkry tydens enige jaar van aanslag deur enige korttermynversekeraar vanuit die bedryf van korttermynversekeringsbesigheid, word daar toegelaat as ’n aftrekking van die inkomste van daardie korttermynversekeraar ’n bedrag gelykstaande aan—

(a) ’n som van verpligtinge vir eise aangegaan in verband met korttermynversekeringsbesigheid ten opsigte van die polisse van die versekeraar, netto van bedrae erken ten opsigte van herversekeringskontrakte vir verpligtinge vir eise aangegaan; en

(b) die verpligting vir eise, netto van bedrae erken ten opsigte van herversekeringskontrakte, met betrekking tot beleggingskontrakte aangegaan deur ’n korttermynversekeraar in die loop van die bedryf van korttermynversekeringsbesigheid,

wat bepaal word ooreenkomstig IFRS soos verslag oor gedoen deur die versekeraar aan aandeelhouers in die geouditeerde finansiële jaarstate; Met dien verstande dat verpligtinge vir eise aangegaan—

(i) verhoog moet word deur die bedrag van versekering en herversekering ontvangbare balanse; en

(ii) verminder moet word deur die bedrag van versekering en herversekering krediteurbalanse,

wat in berekening gebring word in die bepaling van die verpligtinge vir eise aangegaan ooreenkomstig IFRS soos in die geouditeerde finansiële jaarverslae deur die uitreiker aan aandeelhouers gerapporteer: Met dien verstande verder dat enige bedrag wat betaalbaar is aan of ontvangbaar is van ’n seleienaar, bedoel in die omskrywing van ‘selstruktuur’ in artikel 1 van die Versekeringswet, wat nie op ’n polis betrekking het nie, verontagsaam moet word.”;

- (c) deur in subartikel (3A) in paragraaf (b) die woorde wat op item (cc) volg deur die volgende woorde te vervang:

“waarvan die bedrae bepaal word ooreenkomstig IFRS soos jaarliks deur die versekeraar in die geouditeerde finansiële jaarstate aan aandeelhouers gerapporteer ten opsigte van takpolisse en is ten opsigte van subparagraawe (i), (iii), items (aa) en (bb) beperk tot bedrae wat verband hou met verpligtinge vir eise aangegaan: Met dien verstande dat enige bedrag wat betaalbaar is aan of ontvangbaar is van ’n seleienaar, bedoel in die omskrywing van ‘selstruktuur’ in artikel 1 van die Versekeringswet, [ten opsigte van ‘derdepartyrisiko’s’ soos omskryf in daardie artikel van daardie Wet,] wat nie met ’n polis verband hou nie, verontagsaam moet word: Met dien verstande voorts dat die bedrag nie minder as nul mag wees nie;”;

- (d) deur in subartikel (3C) paragraawe (a) en (b), onderskeidelik, deur die volgende paragraawe te vervang:

“(a) by inkomste ’n bedrag insluit wat gelyk is aan die [verskil tussen] bedrae verhaalbaar deur daardie korttermynversekeraar ten opsigte van eise aangegaan kragtens ’n korttermynpolis uitgereik deur daardie korttermynversekeraar aan die einde van die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, wat nie teen die einde van daardie jaar van aanslag deur daardie korttermynversekeraar ontvang is nie;

(b) die verpligtinge vir oorblywende dekking, [netto van] verminder deur herversekering, aftrek vir die laaste jaar van aanslag bereken wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, indien IFRS 17 aan die einde van daardie jaar van aanslag toegepas sou gewees het; [en]”;

- (e) deur in subartikel (3C) na paragraaf (b) die volgende paragraaf in te voeg:

“(bA) in sy inkomste die absolute waarde insluit waarmee die bedrag van verpligtinge vir oorblywende dekking oorskry word deur die bedrag van herversekering, bereken vir die jongste jaar van aanslag wat op of na 1 Januarie 2022, maar voor 1 Januarie 2023,

- menting on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied at the end of that year of assessment;";
- (f) by the substitution in subsection (3C) for paragraph (c) of the following paragraph:
- “(c) deduct the **[net]** amounts of insurance premium or reinsurance premium debtors, **[and]** reduced by amounts of reinsurance premium payable, taken into account in determining the liabilities for remaining coverage at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied at the end of that year of assessment; **and**”;
- (g) by the insertion in subsection (3C) after paragraph (c) of the following paragraph:
- “(cA) include in its income the absolute value whereby amounts of insurance premium or reinsurance premium debtors is exceeded by amounts of reinsurance premium payable, taken into account in determining the liabilities for remaining coverage at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied at the end of that year of assessment.”; and
- (h) by the substitution in subsection (3D) for paragraphs (c) and (d), respectively, of the following paragraphs:
- “(c) For purposes of paragraph (a), ‘phasing-in amount’ means the amount by which the amount of the deduction under subsection (3) or (3A), for the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, exceeds the amount of the **[deduction]** deductions under subsection (3) or (3A), and subsection (3C)(b) for the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 and subsection (3) or (3A), as amended by the Taxation Laws Amendment Act, 2022, and subsection (3C)(b) been applied at the end of that year of assessment, **[reduced by the difference between]** and when—
- (i) (aa) the amount of insurance premium debtors and reinsurance premium debtors exceeds; **[and]**
- [(ii)] (bb) the amount of reinsurance premiums payable, other than amounts forming part of the liability for incurred claims, deduct the difference between items (aa) and (bb) at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied, other than amounts forming part of the liability for incurred claims,]; or**
- (ii) (aa) the amount of reinsurance premium payable exceeds;
- (bb) the amount of insurance premium debtors and reinsurance premium debtors,
- other than amounts forming part of the liability for incurred claims, add the difference between items (aa) and (bb) at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied, and **[increased by]** add the amount determined under subsection (3C)(a).
- (d) For purposes of paragraph (b), ‘phasing-in amount’ means the amount by which the amount of the **[deduction]** deductions under subsection (3) or (3A), and subsection (3C)(b) for the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 and subsection (3) or (3A), as amended by the Taxation Laws Amendment Act, 2022, and subsection (3C)(b) been applied at the end of that year of assessment exceeds the amount of the deduction under subsection (3) or (3A), for the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, **[increased by the difference between]** and when—
- (i) (aa) the amount of insurance premium debtors and reinsurance premium debtors **[: and]** exceeds;
- [(ii)] (bb) the amount of reinsurance premiums payable, other than amounts forming part of the liability for incurred claims, add the difference between items (aa) and (bb), at the end of the latest year of**

- begin, indien IFRS 17 aan die einde van daardie jaar van aanslag toegepas sou gewees het.”;
- (f) deur in subartikel (3C) paragraaf (c) deur die volgende paragraaf te vervang:
- “(c) die **[netto]** bedrae van versekeringspremie- of herversekeringspremiëdebiteure aftrek, **[en]** verminder deur bedrae van herversekeringspremie betaalbaar, in ag geneem by die vasstelling van die verpligtinge vir oorblywende dekking aan die einde van die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, indien IFRS 17 aan die einde van daardie jaar van aanslag toegepas sou gewees het, aftrek; **en**”;
- (g) deur in subartikel (3C) na paragraaf (c) die volgende paragraaf in te voeg:
- “(cA) in sy inkomste die absolute waarde insluit waarmee die bedrae van versekeringspremie- of herversekeringsdebiteure oorskry word deur bedrae van herversekeringspremie wat betaalbaar is, wat in berekening gebring is by die bepaling van die verpligtinge vir oorblywende dekking aan die einde van die laaste jaar van aanslag wat op of na 1 Januarie 2022, maar voor 1 Januarie 2023, begin, indien IFRS 17 aan die einde van daardie jaar van aanslag toegepas sou gewees het.”; en
- (h) deur in subartikel (3D) paragrafe (c) en (d), onderskeidelik, deur die volgende paragrafe te vervang:
- “(c) By die toepassing van paragraaf (a), beteken ‘infaseringsbedrag’ die bedrag waarmee die bedrag van die aftrekking kragtens subartikel (3) of (3A), vir die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, meer is as die bedrag van die **[aftrekking]** aftrekkings kragtens subartikel (3) of (3A) **en** subartikel (3C)(b) vir die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, indien IFRS 17 en subartikel (3) of (3A), soos gewysig deur die Wysigingswet op Belastingwette, 2022, **en** subartikel (3C)(b) aan die einde van daardie jaar van aanslag toegepas sou gewees het, **verminder met die verskil tussen]** **en** wanneer—
- (i) (aa) die bedrag van die versekeringspremie- en herversekeringspremiëdebiteure, **meer is as; [en]**
- [(ii)] (bb) die bedrag van herversekeringspremies betaalbaar, anders as bedrae wat deel uitmaak van die verpligting vir eise aangegaan, die verskil tussen items (aa) en (bb) aftrek aan die einde van die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, indien IFRS 17 toegepas sou gewees het [anders as bedrae wat deel uitmaak van die verpligting vir eise aangegaan,]; of**
- (ii) (aa) die bedrag van herversekeringspremie wat betaalbaar is, **meer is as;**
- (bb) die bedrag van herversekeringspremie- en herversekeringspremiëdebiteure, anders as bedrae wat deel uitmaak van die verpligting vir eise aangegaan, die verskil byvoeg tussen items (aa) en (bb) aan die einde van die laaste jaar van aanslag wat op of na 1 Januarie 2022, maar voor 1 Januarie 2023, begin, indien IFRS 17 toegepas sou gewees het, **en [vermeerder met]** die bedrag kragtens subartikel (3C)(a) vasgestel, **byvoeg.**
- (d) By die toepassing van paragraaf (b), beteken ‘infaseringsbedrag’ die bedrag waarmee die bedrag van die **[aftrekking]** aftrekkings kragtens subartikel (3) of (3A) **en** subartikel (3C)(b) vir die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, indien IFRS 17 en subartikel (3) of (3A), soos deur die Wysigingswet op Belastingwette, 2022, **en** subartikel (3C)(b) gewysig, aan die einde van daardie jaar toegepas sou gewees het, **meer is as die bedrag van die aftrekking kragtens subartikel (3) of (3A), vir die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, [vermeerder met die verskil tussen]** **en** wanneer—
- (i) (aa) die bedrag van versekeringspremie- en herversekeringspremiëdebiteure; **[en]**, **meer is as;**
- [(ii)] (bb) die bedrag van herversekeringspremies betaalbaar, anders as bedrae wat deel uitmaak van die verpligting vir eise aangegaan, die verskil tussen items (aa) en (bb) bytel, aan die einde van die jongste**

assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied[, **other than amounts forming part of the liability for incurred claims**]; or

- (ii) (aa) the amount of reinsurance premiums payable, exceeds,
(bb) the amount of insurance premium debtors and reinsurance premium debtors,

[**reduced by**] other than amounts forming part of the liability for incurred claims, deduct the difference between items (aa) and (bb) at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, had IFRS 17 been applied, and deduct the amount determined under subsection (3C)(a).”.

(2) Subsection (1) is deemed to have come into operation on 1 January 2023 and applies in respect of years of assessment commencing on or after that date.

Amendment of section 29A of Act 58 of 1962, as inserted by section 30 of Act 53 of 1999 and amended by section 36 of Act 59 of 2000, section 15 of Act 5 of 2001, section 15 of Act 19 of 2001, section 39 of Act 60 of 2001, section 30 of Act 74 of 2002, section 16 of Act 16 of 2004, section 23 of Act 20 of 2006, section 21 of Act 3 of 2008, section 52 of Act 7 of 2010, section 62 of Act 22 of 2012, section 77 of Act 31 of 2013, section 47 of Act 43 of 2014, section 53 of Act 25 of 2015, section 50 of Act 15 of 2016, section 46 of Act 17 of 2017, section 51 of Act 23 of 2018, section 34 of Act 34 of 2019, section 30 of Act 23 of 2020, section 22 of Act 20 of 2021, section 15 of Act 20 of 2022 and section 32 of Act 17 of 2023

25. (1) Section 29A of the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution in subsection (1) in paragraph (b) of the definition of “adjusted IFRS value” for the proviso of the following proviso:

“: Provided that any amount that is payable to or receivable from a cell owner, referred to in the definition of ‘cell structure’ in section 1 of the Insurance Act, [**in respect of ‘third party risks’, as defined in that section of that Act**] that does not relate to a policy, must be disregarded.”;

- (b) by the substitution in subsection (1) for the definition of “value of liabilities” of the following definition:

“‘**value of liabilities**’ means, in respect of a policyholder fund and a risk policy fund the adjusted IFRS value plus so much of all other liabilities allocated to that fund that have not been taken into account in determining the adjusted IFRS value: Provided that any amount that is payable to or receivable from a cell owner, referred to in the definition of ‘cell structure’ in section 1 of the Insurance Act, [**in respect of ‘third party risks’, as defined in that section of that Act**] that does not relate to a policy, must be disregarded.”; and

- (c) by the substitution in subsection (15) for paragraphs (a) and (b), respectively, of the following paragraphs:

“(a) the amount by which the ‘value of liabilities’ amount determined at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, less the amounts for premium debtors [**and**], policy loans and reinsurance debtors, determined in accordance with IFRS as reported by the insurer to shareholders in the audited annual financial statements at the end of that year of assessment, that [**reduce**] would have reduced the amount of policy liabilities had IFRS 17 been applied, exceeds the ‘value of liabilities’ amount had IFRS 17 and the definitions of ‘adjusted IFRS value’ and ‘value of liabilities’ as amended by the Taxation Laws Amendment Act, 2022, been applied at the end of that year of assessment; or

jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, indien IFRS 17 toegepas sou gewees het[, anders as bedrae wat deel uitmaak van die verpligting vir eise aangegaan,]; of

(ii) (aa) die bedrag van herversekeringspremies wat betaalbaar is, meer is as,

(bb) die bedrag van versekeringspremiëdebiteure en herver-sekeringspremiëdebiteure,

[en verminder met] anders as bedrae wat deel uitmaak van die verpligting vir eise aangegaan, die verskil tussen items (aa) en (bb) aan die einde van die laaste jaar van aanslag wat op of na 1 Januarie 2022, maar voor 1 Januarie 2023, begin, sou IFRS toegepas gewees het, aftrek en die bedrag kragtens subartikel (3C)(a) vasgestel, aftrek.”

(2) Subartikel (1) word geag op 1 Januarie 2023 in werking te getree het en is van toepassing op jare van aanslag wat op of na daardie datum begin.

Wysiging van artikel 29A van Wet 58 van 1962, soos ingevoeg deur artikel 30 van Wet 53 van 1999 en gewysig deur artikel 36 van Wet 59 van 2000, artikel 15 van Wet 5 van 2001, artikel 15 van Wet 19 van 2001, artikel 39 van Wet 60 van 2001, artikel 30 van Wet 74 van 2002, artikel 16 van Wet 16 van 2004, artikel 23 van Wet 20 van 2006, artikel 21 van Wet 3 van 2008, artikel 52 van Wet 7 van 2010, artikel 62 van Wet 22 van 2012, artikel 77 van Wet 31 van 2013, artikel 47 van Wet 43 van 2014, artikel 53 van Wet 25 van 2015, artikel 50 van Wet 15 van 2016, artikel 46 van Wet 17 van 2017, artikel 51 van Wet 23 van 2018, artikel 34 van Wet 34 van 2019, artikel 30 van Wet 23 van 2020, artikel 22 van Wet 20 van 2021, artikel 15 van Wet 20 van 2022 en artikel 32 van Wet 17 van 2023

25. (1) Artikel 29A van die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur in subartikel (1) in paragraaf (b) van die omskrywing van “aangepaste IFRS-waarde” die voorbehoudsbepaling deur die volgende voorbehoudsbepaling te vervang:

“: Met dien verstande dat enige bedrag wat betaalbaar is aan of ontvangbaar is van ’n seleienaar, bedoel in die omskrywing van ‘selstruktuur’ in artikel 1 van die Versekeringswet, [ten opsigte van ‘derdepartyrisiko’s’ soos in daardie artikel van daardie Wet omskryf] wat nie met ’n polis verband hou nie, verontagsaam moet word.”;

(b) deur in subartikel (1) die omskrywing van “waarde van verpligtinge” deur die volgende omskrywing te vervang:

“ ‘waarde van verpligtinge’ ten opsigte van a polishouerfonds en ’n risikopolisfonds, die aangepaste IFRS-waarde plus soveel van alle ander verpligtinge toegeken aan daardie fonds wat nie in berekening gebring is nie by die bepaling van die aangepaste IFRS-waarde: Met dien verstande dat enige bedrag wat betaalbaar is aan of ontvangbaar is van ’n seleienaar, bedoel in die omskrywing van ‘selstruktuur’ in artikel 1 van die Versekeringswet, [ten opsigte van ‘derdepartyrisiko’s’, soos in daardie artikel van daardie Wet omskryf] wat nie met ’n polis verband hou nie, verontagsaam moet word.”;

(c) deur in subartikel (15) paragrafe (a) en (b) onderskeidelik deur die volgende paragrafe te vervang:

“(a) die bedrag waarmee die ‘waarde van verpligtinge’ bedrag vasgestel aan die einde van die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, minus die bedrae vir premiedebiteure [en], polislënings en herversekeringsdebiteure, vasgestel ooreenkomstig IFRS soos deur die versekeraar oor verslag gedoen aan die aandeelhouders in die geouditeerde [finansieele] finansiële jaarstate aan die einde van daardie jaar van aanslag, wat die bedrag van polisverpligtinge sou verminder het indien IFRS 17 toegepas sou gewees het, meer is as die bedrag van die waarde van verpligtinge, indien IFRS 17 en die omskrywing van ‘aangepaste IFRS-waarde’ en ‘waarde van verpligtinge’ soos gewysig deur die Wysigingswet op Belastingwette, 2022, aan die einde van daardie jaar van aanslag toegepas sou gewees het; of

- (b) the amount by which the ‘value of liabilities’ amount had IFRS 17 and the definitions of ‘adjusted IFRS value’ and ‘value of liabilities’ as amended by the Taxation Laws Amendment Act, 2022, been applied at the end of the latest year of assessment commencing on or after 1 January 2022, but before 1 January 2023, plus the amounts for premium debtors **[and]**, policy loans and reinsurance debtors determined in accordance with IFRS as reported by the insurer to shareholders in the audited annual financial statements at the end of that year of assessment, that **[reduce]** would have reduced the amount of policy liabilities had IFRS 17 been applied, exceeds the ‘value of liabilities’ amount determined at the end of that year of assessment:”.

(2) Subsection (1) is deemed to have come into operation on 1 January 2023 and applies in respect of years of assessment commencing on or after that date.

Amendment of section 30 of Act 58 of 1962, as inserted by section 35 of Act 30 of 2000 and amended by section 16 of Act 19 of 2001, section 22 of Act 30 of 2002, section 31 of Act 74 of 2002, section 45 of Act 45 of 2003, section 28 of Act 32 of 2004, section 36 of Act 31 of 2005, section 24 of Act 20 of 2006, section 25 of Act 8 of 2007, section 43 of Act 35 of 2007, section 22 of Act 3 of 2008, section 41 of Act 60 of 2008, section 41 of Act 17 of 2009, section 53 of Act 7 of 2010, section 8 of Act 21 of 2012, section 79 of Act 31 of 2013, section 48 of Act 43 of 2014, section 54 of Act 25 of 2015, section 51 of Act 15 of 2016 and section 35 of Act 34 of 2019

26. Section 30 of the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution in subsection (3)(b)(iii) for items (bb) and (cc), respectively, of the following items:
- “(bb) any institution, board or body which is exempt from tax under the provisions of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity; or
- (cc) the government of the Republic in the national, provincial or local sphere, contemplated in section 10(1)(a)[; or]₂”; and
- (b) by the deletion in subsection (3)(b)(iii) of item (dd).

Amendment of section 41 of Act 58 of 1962, as substituted by section 34 of Act 74 of 2002 and amended by section 49 of Act 45 of 2003, section 32 of Act 32 of 2004, section 37 of Act 31 of 2005, section 28 of Act 20 of 2006, sections 32 and 103 of Act 8 of 2007, section 52 of Act 35 of 2007, section 25 of Act 3 of 2008, section 48 of Act 60 of 2008, section 47 of Act 17 of 2009, section 61 of Act 7 of 2010, section 67 of Act 24 of 2011, section 73 of Act 22 of 2012, section 90 of Act 31 of 2013, section 54 of Act 43 of 2014, section 61 of Act 25 of 2015, section 54 of Act 15 of 2016, section 50 of Act 17 of 2017, section 54 of Act 23 of 2018, section 39 of Act 34 of 2019 and section 24 of Act 20 of 2021

27. (1) Section 41 of the Income Tax Act, 1962, is hereby amended by the substitution in subsection (4) for the words preceding paragraph (a) of the following words:

“A company must for the purposes of section 20(1)(a) and this Part, be deemed to have taken steps to liquidate, wind up or deregister, where—”.

(2) Subsection (1) comes into operation on 1 January 2025 and applies in respect of years of assessment commencing on or after that date.

Amendment of section 42 of Act 58 of 1962, as substituted by section 34 of Act 74 of 2002 and amended by section 50 of Act 45 of 2003, section 33 of Act 32 of 2004, section 38 of Act 31 of 2005, section 29 of Act 20 of 2006, section 33 of Act 8 of 2007, section 53 of Act 35 of 2007, section 26 of Act 3 of 2008, section 49 of Act 60 of 2008, section 48 of Act 17 of 2009, section 62 of Act 7 of 2010, section 68 of Act 24 of 2011, section 74 of Act 22 of 2012, section 91 of Act 31 of 2013, section 55 of Act 43 of 2014,

- (b) die bedrag waarmee die ‘waarde van verpligtinge’ bedrag indien IFRS 17 en die omskrywings van ‘aangepaste IFRS-waarde’ en ‘waarde van verpligtinge’ soos gewysig deur die Wysigingswet op Belastingwette, 2022, toegepas is aan die einde van die laaste jaar van aanslag wat begin op of na 1 Januarie 2022, maar voor 1 Januarie 2023, plus die bedrae vir premiedebiteure [en], polislenings en herversekeringsdebiteure ooreenkomstig IFRS vasgestel soos deur die versekeraar oor verslag gedoen aan die aandeelhouders in die geouditeerde finansiële jaarstate aan die einde van daardie jaar van aanslag, wat die bedrag van polisverpligtinge sou verminder het indien IFRS 17 toegepas sou gewees het, meer is as die bedrag van die ‘waarde van verpligtinge’ aan die einde van daardie jaar van aanslag bepaal.”.

(2) Subartikel (1) word geag op 1 Januarie 2023 in werking te getree het en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

Wysiging van artikel 30 van Wet 58 van 1962, soos ingevoeg deur artikel 35 van Wet 30 van 2000 en gewysig deur artikel 16 van Wet 19 van 2001, artikel 22 van Wet 30 van 2002, artikel 31 van Wet 74 van 2002, artikel 45 van Wet 45 van 2003, artikel 28 van Wet 32 van 2004, artikel 36 van Wet 31 van 2005, artikel 24 van Wet 20 van 2006, artikel 25 van Wet 8 van 2007, artikel 43 van Wet 35 van 2007, artikel 22 van Wet 3 van 2008, artikel 41 van Wet 60 van 2008, artikel 41 van Wet 17 van 2009, artikel 53 van Wet 7 van 2010, artikel 8 van Wet 21 van 2012, artikel 79 van Wet 31 van 2013, artikel 48 van Wet 43 van 2014, artikel 54 van Wet 25 van 2015, artikel 51 van Wet 15 van 2016 en artikel 35 van Wet 34 van 2019

26. Artikel 30 van die Inkomstebelastingwet, 1962, word hierby gewysig—

- (a) deur in subartikel (3)(b)(iii) items (bb) en (cc) onderskeidelik deur die volgende items te vervang:
- “(bb) enige instelling, raad of liggaam wat ingevolge die bepalings van artikel 10(1)(cA)(i) van belasting vrygestel is, wat as sy enigste of vernaamste oogmerk die beoefening van enige openbare weldaadsaktiwiteit het; of
- (cc) die regering van die Republiek in die nasionale, provinsiale of plaaslike sfeer, soos in artikel 10(1)(a) bedoel[; of]”; en
- (b) deur in subartikel (3)(b)(iii) item (dd) te skrap.

Wysiging van artikel 41 van Wet 58 van 1962, soos vervang deur artikel 34 van Wet 74 van 2002 en gewysig deur artikel 49 van Wet 45 van 2003, artikel 32 van Wet 32 van 2004, artikel 37 van Wet 31 van 2005, artikel 28 van Wet 20 van 2006, artikels 32 en 103 van Wet 8 van 2007, artikel 52 van Wet 35 van 2007, artikel 25 van Wet 3 van 2008, artikel 48 van Wet 60 van 2008, artikel 47 van Wet 17 van 2009, artikel 61 van Wet 7 van 2010, artikel 67 van Wet 24 van 2011, artikel 73 van Wet 22 van 2012, artikel 90 van Wet 31 van 2013, artikel 54 van Wet 43 van 2014, artikel 61 van Wet 25 van 2015, artikel 54 van Wet 15 van 2016, artikel 50 van Wet 17 van 2017, artikel 54 van Wet 23 van 2018, artikel 39 van Wet 34 van 2019 en artikel 24 van Wet 20 van 2021

27. (1) Artikel 41 van die Inkomstebelastingwet, 1962, word hierby gewysig deur in subartikel (4) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

“Daar word by die toepassing van artikel 20(1)(a) en hierdie Deel geag dat ’n maatskappy die nodige stappe geneem het om te likwiede of te deregistreer, waar—”.

(2) Subartikel (1) tree op 1 Januarie 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

Wysiging van artikel 42 van Wet 58 van 1962, soos vervang deur artikel 34 van Wet 74 van 2002 en gewysig deur artikel 50 van Wet 45 van 2003, artikel 33 van Wet 32 van 2004, artikel 38 van Wet 31 van 2005, artikel 29 van Wet 20 van 2006, artikel 33 van Wet 8 van 2007, artikel 53 van Wet 35 van 2007, artikel 26 van Wet 3 van 2008, artikel 49 van Wet 60 van 2008, artikel 48 van Wet 17 van 2009, artikel 62 van Wet 7 van 2010, artikel 68 van Wet 24 van 2011, artikel 74 van Wet 22 van 2012,

section 62 of Act 25 of 2015, section 51 of Act 17 of 2017, section 55 of Act 23 of 2018, section 40 of Act 34 of 2019, section 25 of Act 20 of 2021 and section 36 of Act 17 of 2023

28. Section 42 of the Income Tax Act, 1962, is hereby amended by the substitution in subsection (1) in the definition of “qualifying interest” for paragraph (d) of the following paragraph: 5

“(d) an equity share held by that person in a company which forms part of the same group of companies [or] as that person; or”.

Amendment of section 44 of Act 58 of 1962, as substituted by section 34 of Act 74 of 2002 and amended by section 52 of Act 45 of 2003, section 40 of Act 31 of 2005, section 34 of Act 8 of 2007, section 55 of Act 35 of 2007, section 27 of Act 3 of 2008, section 50 of Act 60 of 2008, section 49 of Act 17 of 2009, section 63 of Act 7 of 2010, section 69 of Act 24 of 2011, section 76 of Act 22 of 2012, section 93 of Act 31 of 2013, section 57 of Act 43 of 2014, section 63 of Act 25 of 2015, section 55 of Act 15 of 2016, section 52 of Act 17 of 2017, section 56 of Act 23 of 2018 and section 41 of Act 34 of 2019 10 15

29. Section 44 of the Income Tax Act, 1962, is hereby amended by the deletion in subsection (14) of paragraph (d).

Amendment of paragraph 2 of Second Schedule to Act 58 of 1962, as substituted by section 57 of Act 17 of 2009 and amended by section 80 of Act 7 of 2010, section 92 of Act 22 of 2012, section 62 of Act 17 of 2017, section 48 of Act 34 of 2019 and section 3 of Act 12 of 2024 20

30. (1) Paragraph 2(1) of the Second Schedule to the Income Tax Act, 1962, is hereby amended by the substitution for item (c) of the following item:

“(c) any amount of a member’s retirement interest transferred for the benefit of that person on or after normal retirement age, as defined in the rules of the fund, but before retirement date, less any deductions permitted under [the provisions of] paragraph 6A; and” 25

(2) Subsection (1) comes into operation on 1 March 2025 and applies in respect of years of assessment commencing on or after that date. 30

Amendment of paragraph 6A of Second Schedule to Act 58 of 1962, as inserted by section 65 of Act 17 of 2017 and amended by section 66 of Act 23 of 2018, section 42 of Act 23 of 2020, section 35 of Act 20 of 2021 and section 40 of Act 17 of 2023

31. (1) Paragraph 6A of the Second Schedule to the Income Tax Act, 1962, is hereby amended— 35

(a) by the substitution for subparagraphs (c) and (d), respectively, of the following subparagraphs:

“(c) pension preservation or provident preservation fund into another pension preservation or provident preservation fund or a retirement annuity fund; [or] 40

(d) pension fund or provident fund into another pension fund or provident fund [that is subject to] in the case of an involuntary transfer[.]; or”; and

(b) by the addition after subparagraph (d) of the following subparagraph:

“(e) retirement annuity fund into another retirement annuity fund.” 45

(2) Subsection (1) comes into operation on 1 March 2025 and applies in respect of years of assessment commencing on or after that date.

Amendment of paragraph 2 of Seventh Schedule to Act 58 of 1962, as inserted by section 46 of Act 121 of 1984 and amended by section 27 of Act 96 of 1985, section 56 of Act 101 of 1990, section 49 of Act 28 of 1997, section 54 of Act 30 of 1998, section 50 of Act 32 of 2004, section 55 of Act 31 of 2005, section 64 of Act 17 of 2009, 50

artikel 91 van Wet 31 van 2013, artikel 55 van Wet 43 van 2014, artikel 62 van Wet 25 van 2015, artikel 51 van Wet 17 van 2017, artikel 55 van Wet 23 van 2018, artikel 40 van Wet 34 van 2019, artikel 25 van Wet 20 van 2021 en artikel 36 van Wet 17 van 2023

28. Artikel 42 van die Inkomstebelastingwet, 1962, word hierby gewysig deur in die Engelse teks in subartikel (1) in die omskrywing van “qualifying interest” paragraaf (d) deur die volgende paragraaf te vervang:

“(d) an equity share held by that person in a company which forms part of the same group of companies [or] as that person; or”.

Wysiging van artikel 44 van Wet 58 van 1962, soos vervang deur artikel 34 van Wet 74 van 2002 en gewysig deur artikel 52 van Wet 45 van 2003, artikel 40 van Wet 31 van 2005, artikel 34 van Wet 8 van 2007, artikel 55 van Wet 35 van 2007, artikel 27 van Wet 3 van 2008, artikel 50 van Wet 60 van 2008, artikel 49 van Wet 17 van 2009, artikel 63 van Wet 7 van 2010, artikel 69 van Wet 24 van 2011, artikel 76 van Wet 22 van 2012, artikel 93 van Wet 31 van 2013, artikel 57 van Wet 43 van 2014, artikel 63 van Wet 25 van 2015, artikel 55 van Wet 15 van 2016, artikel 52 van Wet 17 van 2017, artikel 56 van Wet 23 van 2018 en artikel 41 van Wet 34 van 2019

29. Artikel 44 van die Inkomstebelastingwet, 1962, word hierby gewysig deur in subartikel (14) paragraaf (d) te skrap.

Wysiging van paragraaf 2 van Tweede Bylae by Wet 58 van 1962, soos vervang deur artikel 57 van Wet 17 van 2009 en gewysig deur artikel 80 van Wet 7 van 2010, artikel 92 van Wet 22 van 2012, artikel 62 van Wet 17 van 2017, artikel 48 van Wet 34 van 2019, artikel 3 van Wet 12 van 2024 en artikel 3 van Wet 44 van 2024

30. (1) Paragraaf 2(1) van die Tweede Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig deur item (c) deur die volgende item te vervang:

“(c) enige bedrag van ’n lid se uitreebelang oorgedra ten gunste van daardie persoon op of na normale uitree-ouderdom, soos omskryf in die reëls van die fonds, maar voor uitreedatum, verminder deur enige aftrekkings toegelaat kragtens [die bepaling van] paragraaf 6A; en”.

(2) Subartikel (1) tree op 1 Maart 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

Wysiging van paragraaf 6A van Tweede Bylae by Wet 58 van 1962, soos ingevoeg deur artikel 65 van Wet 17 van 2017 en gewysig deur artikel 66 van Wet 23 van 2018, artikel 42 van Wet 23 van 2020, artikel 35 van Wet 20 van 2021 en artikel 40 van Wet 17 van 2023

31. (1) Paragraaf 6A van die Tweede Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig—

(a) deur paragrawe (c) en (d), onderskeidelik, deur die volgende paragrawe te vervang:

“(c) pensioenbewaringsfonds of voorsorgbewaringsfonds in ’n ander pensioenbewaringsfonds of voorsorgbewaringsfonds of ’n uitredingannuïteitsfonds; [of]

(d) pensioenfonds of voorsorgfonds in ’n ander pensioenfonds of voorsorgfonds [wat aan] in die geval van ’n onwillekeurige oordrag [onderhewig is.]; of”; en

(b) deur na subparagraaf (d) die volgende subparagraaf by te voeg:

“(e) uitredingannuïteitsfonds in ’n ander uitredingannuïteitsfonds.”.

(2) Subartikel (1) tree op 1 Maart 2025 in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.

Wysiging van paragraaf 2 van Sewende Bylae by Wet 58 van 1962, soos ingevoeg deur artikel 46 van Wet 121 van 1984 en gewysig deur artikel 27 van Wet 96 van 1985, artikel 56 van Wet 101 van 1990, artikel 49 van Wet 28 van 1997, artikel 54 van Wet 30 van 1998, artikel 50 van Wet 32 van 2004, artikel 55 van Wet 31 van 2005, artikel 64 van Wet 17 van 2009, artikel 102 van Wet 24 van 2011, artikel 100

section 102 of Act 24 of 2011, section 100 of Act 22 of 2012, section 118 of Act 31 of 2013, section 94 of Act 25 of 2015 and section 69 of Act 23 of 2018

32. Paragraph 2 of the Seventh Schedule to the Income Tax Act, 1962, is hereby amended by the deletion of subparagraph (gA).

Amendment of paragraph 12D of Seventh Schedule to Act 58 of 1962, as substituted by section 77 of Act 43 of 2014 and amended by section 101 of Act 25 of 2015, section 69 of Act 15 of 2016, section 69 of Act 17 of 2017, section 71 of Act 23 of 2018 and section 43 of Act 20 of 2021

33. Paragraph 12D of the Seventh Schedule to the Income Tax Act, 1962, is hereby amended—

- (a) by the substitution in subparagraph (1) for the definition of “benefit” of the following definition:

“**‘benefit’**, in relation to an employee that is a member of a pension fund[,], or provident fund [**or retirement annuity fund**], means any amount payable to that member or a dependant or nominee of that member by that fund in terms of the rules of the fund;”;
- (b) by the substitution in subparagraph (1) for the definition of “defined benefit component” of the following definition:

“**‘defined benefit component’** means a benefit or part of a benefit receivable from a pension fund[,], or provident fund [**or retirement annuity fund**] by a member of that fund or a dependant or nominee of that member other than a defined contribution component or underpin component of a fund;”;
- (c) by the substitution in subparagraph (1) for the definition of “defined contribution component” of the following definition:

“**‘defined contribution component’** means a benefit or part of a benefit receivable from a pension fund[,], or provident fund [**or retirement annuity fund**]—

 - (a) where the interest of each member in the fund in respect of that benefit has a value equal to the value of—
 - (i) the contributions paid by the member and by the employer in terms of the rules of the fund that determine the rates of both their contributions at a fixed rate;
 - (ii) less such expenses as the board of that fund determines should be deducted from the contributions paid;
 - (iii) plus any amount credited to the member’s individual account upon—
 - (A) the commencement of the member’s membership of the fund;
 - (B) the conversion of the component of the fund to which the member belongs from a defined benefit component to a defined contribution component; or
 - (C) the amalgamation of that fund with any other fund[, **if any**], other than amounts taken into account in terms of subparagraph (iv); and
 - (iv) plus any other amounts lawfully permitted[,], to be credited to or debited from the member’s individual account[, **if any**], as increased or decreased by fund return; or
 - (b) which consists of a risk benefit provided by the fund directly or indirectly for the benefit of a member of the fund if the risk benefit is provided by means of a policy of insurance or a risk benefit policy;”;
- (d) by the substitution in subparagraph (1) for the definition of “fund member category” of the following definition:

“**‘fund member category’**, in relation to members of a pension fund[,], or provident fund [**or retirement annuity fund**], means any group of members in respect of whom, in terms of the rules of the fund—

van Wet 22 van 2012, artikel 118 van Wet 31 van 2013, artikel 94 van Wet 25 van 2015 en artikel 69 van Wet 23 van 2018

32. Paragraaf 2 van die Sewende Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig deur subparagraaf (gA) te skrap.

Wysiging van paragraaf 12D van Sewende Bylae by Wet 58 van 1962, soos vervang deur artikel 77 van Wet 43 van 2014 en gewysig deur artikel 101 van Wet 25 van 2015, artikel 69 van Wet 15 van 2016, artikel 69 van Wet 17 van 2017, artikel 71 van Wet 23 van 2018 en artikel 43 van Wet 20 van 2021 5

33. Paragraaf 12D van die Sewende Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig— 10

(a) deur in subparagraaf (1) die omskrywing van “voordeel” deur die volgende omskrywing te vervang:

“**‘voordeel’**, met betrekking tot ’n werknemer wat ’n lid is van ’n pensioenfonds[,], of voorsorgsfonds [**of uittredingannuïteitsfonds**], enige bedrag betaalbaar aan daardie lid of ’n afhanklike of genomineerde van daardie lid deur daardie fonds ingevolge die reëls van daardie fonds;”;

(b) deur in subparagraaf (1) die omskrywing van “omskrewe voordeelkomponent” deur die volgende omskrywing te vervang:

“**‘omskrewe voordeelkomponent’** ’n [**komponent**] voordeel of deel van ’n [**komponent**] voordeel ontvangbaar van ’n pensioenfonds[,], of voorsorgsfonds [**of uittredingannuïteitsfonds**] deur ’n lid van daardie fonds of ’n afhanklike of benoemde van daardie lid buiten ’n omskrewe bydraekomponent of ondersteutkomponent van ’n fonds;”;

(c) deur in subparagraaf (1) die omskrywing van “omskrewe bydraekomponent” deur die volgende omskrywing te vervang: 25

“**‘omskrewe bydraekomponent’** ’n komponent of deel van ’n komponent ontvangbaar van ’n pensioenfonds[,], of voorsorgsfonds [**of uittredingannuïteitsfonds**]—

(a) waar die belang van elke lid in die fonds ten opsigte van daardie voordeel ’n waarde het gelykstaande aan die waarde van— 30

(i) die bydraes deur die lid en deur die werkgever betaal ingevolge die reëls van die fonds wat die koerse van beide hul bydraes teen ’n vaste koers bepaal;

(ii) verminder deur die uitgawes wat die raad van daardie fonds bepaal van die betaalde bydraes afgetrek moet word; 35

(iii) plus enige bedrag gekrediteer aan die lid se individuele rekening by—

(A) die inwerkingtreding van die lid se lidmaatskap van die fonds; 40

(B) die omskepping van die komponent van die fonds waaraan die lid behoort van ’n omskrewe voordeelkomponent tot ’n omskrewe bydraekomponent; of

(C) die amalgamasie van daardie fonds met enige ander fonds[, **as daar is**], buiten bedrae in berekening gebring ingevolge subparagraaf (iv); 45

(iv) plus enige ander bedrae regtens toegelaat[,], om gekrediteer te word aan of gedebiteer van die lid se individuele rekening[, **as daar is**], soos vermeerder of verminder deur fondsofbrengs; of 50

(b) wat bestaan uit ’n risikovoordeel voorsien deur die fonds regstreeks of onregstreeks ten behoeve van ’n lid van die fonds indien die risikovoordeel deur middel van ’n versekeringspolis of ’n risikovoordeelpolis voorsien word;”;

(d) deur in subparagraaf (1) die omskrywing van “fondslidkategorie” deur die volgende omskrywing te vervang: 55

“**‘fondslid kategorie’**, met betrekking tot die lede van ’n pensioenfonds[,], of voorsorgsfonds [**of uittredingannuïteitsfonds**], enige groep van lede ten opsigte van wie, ingevolge die reëls van die fonds—

- (a) the employers of those members and those members must respectively make a contribution to that fund in an amount in respect of retirement funding income at the same fixed rate; and
- (b) the determination of the value of the benefits of the members referred to in paragraph (a) and the determination of the entitlement of those members to those benefits are made according to the same method;”;
- (e) by the substitution in subparagraph (1) for the definition of “member” of the following definition:
 - “‘**member**’ means, in relation to a pension[,], fund or provident [**or retirement annuity**] fund, any member or former member of that fund but does not include any member or former member or person who has received all the benefits which may be due to them from the fund and whose membership has thereafter been terminated in accordance with rules of the fund;”;
- (f) by the substitution in subparagraph (1) for the definition of “underpin component” of the following definition:
 - “‘**underpin component**’ means a benefit receivable from a pension fund[,], or provident fund [**or retirement annuity fund**] the value of which benefit, in terms of the rules of the fund, is the greater of the amount of a defined contribution component or a defined benefit component other than a risk benefit.”;
- (g) by the substitution for subparagraph (2) of the following subparagraph:
 - “(2) The cash equivalent of the value of the taxable benefit contemplated in paragraph 2(l), where the benefits payable to members in respect of a fund member category of a pension[,], fund or provident [**or retirement annuity**] fund consists solely of defined contribution components, is the value of the amount contributed by the employer for the benefit of an employee who is a member of that fund.”; and
- (h) by the substitution in subparagraph (3) for the words preceding the formula of the following words:
 - “Where the taxable benefits payable to members in respect of a fund member category of a pension[,], fund or provident [**or retirement annuity**] fund consists of components other than only defined contribution components, the cash equivalent of the value of the taxable benefit contemplated in paragraph 2(l) is an amount that must be determined in accordance with the formula”.

Amendment of paragraph 5 of Eighth Schedule to Act 58 of 1962, as amended by section 32 of Act 9 of 2006, section 2 of Act 8 of 2007, section 1 of Act 3 of 2008, section 67 of Act 17 of 2009, section 107 of Act 24 of 2011, section 8 of Act 13 of 2012, section 11 of Act 13 of 2016, section 75 of Act 23 of 2018 and section 22 of Act 20 of 2022

34. Paragraph 5 of the Eighth Schedule to the Income Tax Act, 1962, is hereby amended by the substitution in subparagraph (1) for the proviso of the following proviso:

“: Provided that where any person’s year of assessment is less than a period of 12 months, the [**total**] sum of the annual exclusions for years of assessments ending during the period of 12 months commencing [in] on 1 March and ending [at the end] on the last day of February of the immediately following calendar year must per year of assessment and in aggregate not exceed R40 000.”.

Amendment of paragraph 64B of Eighth Schedule to Act 58 of 1962, as amended by section 79 of Act 31 of 2005, section 35 of Act 9 of 2006, section 65 of Act 8 of 2007, section 58 of Act 3 of 2008, section 81 of Act 60 of 2008, section 108 of Act 7 of 2010, section 116 of Act 24 of 2011, substituted by section 123 of Act 22 of 2012 and amended by section 144 of Act 31 of 2013, section 117 of Act 25 of 2017, section 84 of Act 23 of 2018, section 51 of Act 23 of 2020 and section 42 of Act 17 of 2023

35. (1) Paragraph 64B of the Eighth Schedule to the Income Tax Act, 1962, is hereby amended—

- (a) die werkgewers van daardie lede en daardie lede onderskeidelik 'n bydrae moet maak aan daardie fonds in 'n bedrag ten opsigte van uittredingfunderingsinkomste in dieselfde vaste koers; en
- (b) die bepaling van die waarde van die voordele van die lede bedoel in paragraaf (a) en die bepaling van die aanspraak van daardie lede op daardie voordele word gemaak volgens dieselfde metode;”;
- (e) deur in subparagraaf (1) die omskrywing van “lid” deur die volgende omskrywing te vervang:
 “**‘lid’**, met betrekking tot 'n pensioenfonds[,] of voorsorgsfonds [**of uittredingannuïteitsfonds**], enige lid of voormalige lid van daardie fonds, maar sluit nie 'n lid of voormalige lid of persoon in nie wat al die voordele wat aan hulle verskuldig mag wees vanaf die fonds ontvang het en wie se lidmaatskap daarna opgesê is in ooreenstemming met die reëls van die fonds;”;
- (f) deur in subparagraaf (1) die omskrywing van “onderstutkomponent” deur die volgende omskrywing te vervang:
 “**‘onderstutkomponent’** 'n voordeel ontvangbaar vanaf 'n pensioenfonds[,] of voorsorgsfonds [**of uittredingannuïteitsfonds**] waarvan die waarde van die voordeel, ingevolge die reëls van die fonds, die grotere van die bedrag is van 'n omskrewe bydraekomponent of 'n omskrewe voordeelkomponent anders as 'n risikovoordel;”;
- (g) deur subparagraaf (2) deur die volgende subparagraaf te vervang:
 “(2) Die kontantekwivalent van die waarde van die belasbare voordeel beoog in paragraaf 2(l), waar die voordele betaalbaar aan lede ten opsigte van 'n fondslid kategorie van 'n pensioenfonds[,] of voorsorgsfonds [**of uittredingannuïteitsfonds**] slegs uit omskrewe bydraekomponente bestaan, is die waarde van die bedrag bygedra deur die werkgewer ten bate van 'n werknemer wat 'n lid is van daardie fonds.”; en
- (h) deur in subparagraaf (3) die woorde wat die formule voorafgaan deur die volgende woorde te vervang:
 “Waar die belasbare voordele betaalbaar aan lede ten opsigte van 'n fondslidkategorie van 'n pensioenfonds[,] of voorsorgsfonds [**of uittredingannuïteitsfonds**] uit komponente buiten slegs omskrewe bydraekomponente bestaan, is die kontantekwivalent van die waarde van die belasbare voordeel beoog in paragraaf 2(l) 'n bedrag wat bereken word ooreenkomstig die formule”.

Wysiging van paragraaf 5 van Agtste Bylae by Wet 58 van 1962, soos gewysig deur artikel 32 van Wet 9 van 2006, artikel 2 van Wet 8 van 2007, artikel 1 van Wet 3 van 2008, artikel 67 van Wet 17 van 2009, artikel 107 van Wet 24 van 2011, artikel 8 van Wet 13 van 2012, artikel 11 van Wet 13 van 2016, artikel 75 van Wet 23 van 2018 en artikel 22 van Wet 20 van 2022

34. Paragraaf 5 van die Agtste Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig deur die voorbehoudsbepaling by subparagraaf (1) deur die volgende voorbehoudsbepaling te vervang:

“: Met dien verstande dat waar enige persoon se jaar van aanslag 'n tydperk van minder as 12 maande is, die **[totale]** som van die jaarlikse uitsluitings vir jare van **[aanslae]** aanslag wat eindig tydens die tydperk van 12 maande wat **[in]** op 1 Maart begin en **[aan die einde]** op die laaste dag van Februarie **[in]** van die daaropvolgende kalenderjaar eindig, per jaar van aanslag en in totaal nie meer as R40 000 moet wees nie.”.

Wysiging van paragraaf 64B van Agtste Bylae by Wet 58 van 1962, soos gewysig deur artikel 79 van Wet 31 van 2005, artikel 35 van Wet 9 van 2006, artikel 65 van Wet 8 van 2007, artikel 58 van Wet 3 van 2008, artikel 81 van Wet 60 van 2008, artikel 108 van Wet 7 van 2010, artikel 116 van Wet 24 van 2011, vervang deur artikel 123 van Wet 22 van 2012 en gewysig deur artikel 144 van Wet 31 van 2013, artikel 117 van Wet 25 van 2017, artikel 84 van Wet 23 van 2018, artikel 51 van Wet 23 van 2020 en artikel 42 van Wet 17 van 2023

35. (1) Paragraaf 64B van die Agtste Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig—

- (a) by the substitution in subparagraph (1)(b) for item (iii) of the following item:
- “(iii) a non-resident company, of which the shareholders [of which] and their shareholding, immediately after the disposal, are substantially the same as the shareholders of and their shareholding in any company that is in the same group of companies as the company in the group of companies disposing of the shares,”; and 5
- (b) by the substitution for subparagraph (4) of the following subparagraph:
- “(4) A person must disregard any capital gain determined in respect of any foreign return of capital received by or accrued to that person from a ‘foreign company’ as defined in section 9D (other than an interest contemplated in paragraph 2(2)) where that person (whether alone or together with any other person forming part of the same group of companies as that person)— 10
- (a) holds an interest of at least 10 per cent of the total equity shares and voting rights in that company; and 15
- (b) has held the interest referred to in item (a) for at least 18 months prior to the receipt or accrual of that foreign return of capital, unless— 20
- (i) that person is a company; 20
- (ii) that interest was acquired by that person from any other company that forms part of the same group of companies as that person; and 20
- (iii) that person and that other company in aggregate held that interest for longer than 18 months.”. 25
- (2) Paragraph (a) of subsection (1) is deemed to have come into operation on 1 November 2023 and applies in respect of disposals on or after that date.
- (3) Paragraph (b) of subsection (1) is deemed to have come into operation on 1 January 2024 and applies in respect of foreign returns of capital received or accrued on or after that date. 30

Amendment of paragraph 80 of Eighth Schedule to Act 58 of 1962, as inserted by section 38 of Act 5 of 2001 and amended by section 108 of Act 60 of 2001, section 58 of Act 20 of 2006, section 62 of Act 3 of 2008, section 86 of Act 60 of 2008, section 80 of Act 17 of 2009, section 150 of Act 31 of 2013, section 123 of Act 25 of 2015, section 75 of Act 17 of 2017, substituted by section 87 of Act 23 of 2018 and amended by section 64 of Act 34 of 2019 and section 52 of Act 23 of 2020 35

36. Paragraph 80 of the Eighth Schedule to the Income Tax Act, 1962, is hereby amended by the substitution for subparagraph (4) of the following subparagraph:

- “(4) In determining, for purposes of subparagraph (1), [(2)] (2A) or (3), whether an amount would have constituted a capital gain had the trust been a resident, the provisions of paragraph 64B(1) and (4) must be disregarded in respect of an amount derived by that trust, directly or indirectly, from the disposal or in respect of an equity share in a foreign company if— 40
- (a) more than 50 per cent of the total participation rights, as defined in section 9D(1), or of the voting rights in that company are directly or indirectly held or are exercisable, as the case may be, by that trust whether alone or together with any one or more persons that are connected persons in relation to that trust; and 45
- (b) to the extent to which that amount is not derived from an amount that must be included in the income of or attributed to— 50
- (i) the resident to whom an amount is attributed in terms of subparagraph (1), [(2)] (2A) or (3); or
- (ii) a resident who is a connected person in relation to the resident referred to in subitem (i).”.

- (a) deur in subparagraaf (1)(b) item (iii) deur die volgende item te vervang:
- “(iii) ’n nie-inwonende maatskappy waarvan die aandeelhouders en hul aandeelhouding, onmiddellik na die beskikking, wesenlik dieselfde is as die aandeelhouders van en hul aandeelhouding in enige maatskappy in dieselfde groep van maatskappye as die maatskappy in die groep van maatskappye wat oor die aandeel beskik,”; en
- (b) deur subparagraaf (4) deur die volgende subparagraaf te vervang:
- “(4) ’n Persoon moet enige kapitaalwins bepaal ten opsigte van enige buitelandse teruggawe van kapitaal ontvang deur of toegeval aan daardie persoon vanaf ’n ‘buitelandse maatskappy’ soos omskryf in artikel 9D (buiten ’n belang beoog in paragraaf 2(2)) verontagsaam waar daardie persoon (hetsy alleen of tesame met enige ander persoon wat deel uitmaak van dieselfde groep van maatskappye as daardie persoon)—
- (a) ’n belang van minstens 10 persent van die totale ekwiteitsaandeel en stemregte in daardie maatskappy hou; en
- (b) die belang in item (a) bedoel vir minstens 18 maande voor die ontvangs of toevalling van daardie buitelandse teruggawe van kapitaal gehou het, tensy—
- (i) daardie persoon ’n maatskappy is;
- (ii) daardie belang verkry is deur daardie persoon van enige ander maatskappy wat deel van dieselfde groep van maatskappye as daardie persoon uitmaak; en
- (iii) daardie persoon en daardie ander maatskappy gesamentlik daardie belang vir langer as 18 maande gehou het.”.
- (2) Paragraaf (a) van subartikel (1) word geag op 1 November 2023 in werking te getree het en is van toepassing ten opsigte van beskikkings op of na daardie datum.
- (3) Paragraaf (b) van subartikel (1) word geag op 1 Januarie 2024 in werking te getree het en is van toepassing ten opsigte van buitelandse teruggawes van kapitaal op of na daardie datum ontvang of toegeval.

Wysiging van paragraaf 80 van Agtste Bylae by Wet 58 van 1962, soos ingevoeg deur artikel 38 van Wet 5 van 2001 en gewysig deur artikel 108 van Wet 60 van 2001, artikel 58 van Wet 20 van 2006, artikel 62 van Wet 3 van 2008, artikel 86 van Wet 60 van 2008, artikel 80 van Wet 17 van 2009, artikel 150 van Wet 31 van 2013, artikel 123 van Wet 25 van 2015, artikel 75 van Wet 17 van 2017, vervang deur artikel 87 van Wet 23 van 2018 en gewysig deur artikel 64 van Wet 34 van 2019 en artikel 52 van Wet 23 van 2020

- 36.** Paragraaf 80 van die Agtste Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig deur subparagraaf (4) deur die volgende subparagraaf te vervang:
- “(4) In die bepaling, by die toepassing van subparagraaf (1), [(2)] (2A) of (3), of ’n bedrag kapitaalwins sou uitmaak indien die trust ’n inwoner was, word die bepalings van paragraaf 64B(1) en (4) verontagsaam ten opsigte van ’n bedrag verkry van daardie trust, regstreeks of onregstreeks, van die beskikking oor ’n ekwiteitsaandeel in ’n buitelandse maatskappy indien—
- (a) meer as 50 persent van die gesamentlike deelnemende regte, soos omskryf in artikel 9D(1), of indien die stemregte in daardie maatskappy direk of indirek gehou word of uitoefenbaar is, na gelang van die geval, deur daardie trust hetsy alleen of saam met enige een of meer persone wat verbonde persone met betrekking tot daardie trust is; en
- (b) namate daardie bedrag nie verkry is nie van ’n bedrag wat ingesluit word in die inkomste van of toegeskryf word aan—
- (i) die inwoner aan wie ’n bedrag ingevolge subparagraaf (1), [(2)] (2A) of (3) toegeskryf word; of
- (ii) ’n inwoner wat ’n verbonde persoon met betrekking tot die inwoner in subitem (i) bedoel, is.”.

Amendment of paragraph 4 of Part I of Ninth Schedule to Act 58 of 1962, as inserted by section 41 of Act 30 of 2002 and amended by section 125 of Act 45 of 2003, section 82 of Act 31 of 2005, section 60 of Act 20 of 2006, section 63 of Act 3 of 2008, section 87 of Act 60 of 2008, section 82 of Act 17 of 2009, section 12 of Act 13 of 2012, section 151 of Act 31 of 2013, section 80 of Act 15 of 2016 and section 53 of Act 23 of 2020 5

37. Paragraph 4 of Part I of the Ninth Schedule to the Income Tax Act, 1962, is hereby amended by the substitution for subparagraph (c) of the following subparagraph:

“(c) ‘Adult basic education [and training]’, as [defined in the Adult Education and Training Act, 2000, (Act No. 52 of 2000)] envisaged in section 29(1)(a) of the Constitution, including literacy and numeracy education.”. 10

Amendment of paragraph 3 of Part II of Ninth Schedule to Act 58 of 1962, as inserted by section 41 of Act 30 of 2002 and amended by section 129 of Act 45 of 2003, section 84 of Act 31 of 2005, section 62 of Act 20 of 2006, section 64 of Act 3 of 2008, section 89 of Act 60 of 2008, section 83 of Act 17 of 2009, section 13 of Act 13 of 2012, section 153 of Act 31 of 2013 and section 54 of Act 23 of 2020 15

38. Paragraph 3 of Part II of the Ninth Schedule to the Income Tax Act, 1962, is hereby amended by the substitution for subparagraph (c) of the following subparagraph:

“(c) ‘Adult basic education [and training]’, as [defined in the Adult Education and Training Act, 2000, (Act No. 52 of 2000)] envisaged in section 29(1)(a) of the Constitution, including literacy and numeracy education.”. 20

Amendment of Eleventh Schedule to Act 58 of 1962, as added by section 140 of Act 22 of 2012, amended by section 161 of Act 31 of 2013 and substituted by section 125 of Act 25 of 2015, section 56 of Act 23 of 2020, section 47 of Act 20 of 2021 and section 23 of Act 20 of 2022 25

39. (1) The Eleventh Schedule to the Income Tax Act, 1962, is hereby amended by the substitution for Item 11 of the following Item:

“11. [Clothing and Textiles Competitiveness Programme] Clothing, Textile, Footwear & Leather Growth Programme (CTFLGP) received or accrued from the [Industrial Development Corporation] Department of Trade, Industry and Competition;”. 30

(2) Subsection (1) is, in respect of any grant, deemed to have come into operation on the date on which that grant was awarded to the recipient thereof and applies in respect of any amount received or accrued in respect of that grant on or after that date.

Continuation of certain amendments of Schedules to Act 91 of 1964 and Act 89 of 1991 35

40. Every amendment or withdrawal of or insertion in Schedules No. 1 to 6, 8 and 10 to the Customs and Excise Act, 1964, made under sections 48, 49, 56, 56A, 57, 60 or 75(15) of that Act during the period 1 October 2023, up to and including 31 October 2024, shall not lapse by virtue of sections 48(6), 49(5A), 56(3), 56A(3), 57(3), 60(4) or 75(16) of that Act and in Schedule No.1 to the Value Added Tax Act, 1991, made under section 74(3)(a) of that Act during the period 1 October 2023, up to and including 31 October 2024, shall not lapse by virtue of section 74(3)(b) of that Act. 40

Amendment of Schedule 1 to Act 91 of 1964, as amended by section 19 of Act 95 of 1965, section 15 of Act 57 of 1966, section 2 of Act 96 of 1967, section 22 of Act 85 of 1968, section 37 of Act 105 of 1969, section 9 of Act 98 of 1970, section 2 of Act 89 of 1971, section 12 of Act 103 of 1972, section 6 of Act 68 of 1973, section 3 of Act 64 of 1974, section 13 of Act 71 of 1975, section 13 of Act 105 of 1976, section 38 of Act 112 of 1977, section 3 of Act 114 of 1981, section 27 of Act 86 of 1982, section 10 of 45

Wysiging van paragraaf 4 van Deel I van Negende Bylae by Wet 58 van 1962, soos ingevoeg deur artikel 41 van Wet 30 van 2002 en gewysig deur artikel 125 van Wet 45 van 2003, artikel 82 van Wet 31 van 2005, artikel 60 van Wet 20 van 2006, artikel 63 van Wet 3 van 2008, artikel 87 van Wet 60 van 2008, artikel 82 van Wet 17 van 2009, artikel 12 van Wet 13 van 2012, artikel 151 van Wet 31 van 2013, artikel 80 van Wet 15 van 2016 en artikel 53 van Wet 23 van 2020 5

37. Paragraaf 4 van Deel I van die Negende Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig deur subparagraaf (c) deur die volgende subparagraaf te vervang:
“(c) **[Onderwys en opleiding]** Basiese onderwys vir volwassenes’ soos in **[die Wet op Onderwys en Opleiding vir Volwassenes, 2000, (Wet No.52 van 2000), omskryf]** artikel 29(1)(a) van die Grondwet beoog, wat geleterdheid en syferkennisopleiding insluit.”. 10

Wysiging van paragraaf 3 van Deel II van Negende Bylae by Wet 58 van 1962, soos ingevoeg deur artikel 41 van Wet 30 van 2002 en gewysig deur artikel 129 van Wet 45 van 2003, artikel 84 van Wet 31 van 2005, artikel 62 van Wet 20 van 2006, artikel 64 van Wet 3 van 2008, artikel 89 van Wet 60 van 2008, artikel 83 van Wet 17 van 2009, artikel 13 van Wet 13 van 2012, en artikel 153 van Wet 31 van 2013 en artikel 54 van Wet 23 van 2024 15

38. Paragraaf 3 van Deel II van die Negende Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig deur subparagraaf (c) deur die volgende subparagraaf te vervang:
“(c) **[Onderwys en opleiding]** Basiese onderwys vir volwassenes’ soos in **[die Wet op Onderwys en Opleiding vir Volwassenes, 2000, (Wet No.52 van 2000), omskryf]** artikel 29(1)(a) van die Grondwet beoog, wat geleterdheid en syferkennisopleiding insluit.”. 20 25

Wysiging van Elfde Bylae by Wet 58 van 1962, soos bygevoeg deur artikel 140 van Wet 22 van 2012, gewysig deur artikel 161 van Wet 31 van 2013 en vervang deur artikel 125 van Wet 25 van 2015, artikel 56 van Wet 23 van 2020, artikel 47 van Wet 20 van 2021 en artikel 23 van Wet 20 van 2022

39. (1) Die Elfde Bylae by die Inkomstebelastingwet, 1962, word hierby gewysig deur Item 11 deur die volgende Item te vervang:
“11. **[‘Clothing and Textiles Competitiveness Programme’]** **[‘Clothing, Textile, Footwear & Leather Growth Programme (CTFLGP)’]** ontvang of toegeval van die **[Nywerheidsontwikkelingskorporasie]** Departement van Handel, Nywerheid en Mededinging.”. 30 35

(2) Subartikel (1) word, ten opsigte van enige toelaag, geag in werking te getree het op die datum waarop daardie toelaag toegeken is aan die ontvanger daarvan en is van toepassing ten opsigte van enige bedrag ontvang of toegeval ten opsigte van daardie toelaag op of na daardie datum.

Voortdoring van sekere wysigings van Bylaes by Wet 91 van 1964 en Wet 89 van 1991 40

40. Geen wysiging aan of intrekking van of invoeging in Bylaes No. 1 tot 6, 8 en 10 by die Doeane- en Aksynswet, 1964, wat aangebring is kragtens artikel 48, 49, 56, 56A, 57, 60 of 75(15) van daardie Wet gedurende die tydperk 1 Oktober 2023 tot en met 31 Oktober 2024, verval uit hoofde van artikel 48(6), 49(5A), 56(3), 56A(3), 57(3), 60(4) of 75(16) van daardie Wet en in Bylae No.1 by die Wet op Belasting op Toegevoegde Waarde, 1991, wat aangebring is kragtens artikel 74(3)(a) van daardie Wet gedurende die tydperk 1 Oktober 2023, tot en met 31 Oktober 2024, verval uit hoofde van artikel 74(3)(b) van daardie Wet nie. 45

Wysiging van Bylae 1 by Wet 91 van 1964, soos gewysig deur artikel 19 van Wet 95 van 1965, artikel 15 van Wet 57 van 1966, artikel 2 van Wet 96 van 1967, artikel 22 van Wet 85 van 1968, artikel 37 van Wet 105 van 1969, artikel 9 van Wet 98 van 1970, artikel 2 van Wet 89 van 1971, artikel 12 van Wet 103 van 1972, artikel 6 van Wet 68 van 1973, artikel 3 van Wet 64 van 1974, artikel 13 van Wet 71 van 1975, artikel 13 van Wet 105 van 1976, artikel 38 van Wet 112 van 1977, artikel 3 van Wet 55

Act 89 of 1984, section 14 of Act 101 of 1985, section 11 of Act 69 of 1988, section 19 of Act 68 of 1989, section 40 of Act 59 of 1990, section 3 of Act 111 of 1991, section 15 of Act 105 of 1992, section 13 of Act 98 of 1993, section 12 of Act 19 of 1994, section 74 of Act 45 of 1995, section 8 of Act 44 of 1996, section 15 of Act 27 of 1997, section 75 of Act 30 of 1998, section 7 of Act 32 of 1999, section 64 of Act 30 of 2000, section 52 of Act 19 of 2001, section 53 of Act 30 of 2002, section 41 of Act 12 of 2003, section 155 of Act 45 of 2003, section 36 of Act 16 of 2004, section 14 of Act 9 of 2005, section 36 of Act 9 of 2006, section 76 of Act 8 of 2007, section 66 of Act 3 of 2008, section 88 of Act 17 of 2009, section 117 of Act 7 of 2010, section 127 of Act 24 of 2011, section 14 of Act 13 of 2012, section 9 of Act 23 of 2013, section 7 of Act 42 of 2014, section 8 of Act 13 of 2015, section 13 of Act 13 of 2016, section 18 of Act 14 of 2017, section 7 of Act 21 of 2018, section 4 of Act 32 of 2019, section 9 of Act 22 of 2020, section 5 of Act 19 of 2021, section 5 of Act 19 of 2022 and section 7 of Act 19 of 2023

41. (1) Schedule No. 1 to the Customs and Excise Act, 1964, is hereby amended as set out in Parts I to IV of Schedule I to this Act.

(2) The amendments set out in Part I of Schedule I to this Act make provision for the insertion of petroleum oil preparations under tariff subheading 2710.19 in Part 1 of Schedule No. 1 and are deemed to have come into operation retrospectively on 1 January 2002.

(3)(a) The amendments set out in Part II of Schedule I to this Act make provision for the insertion of tariff items under item 105.13 for aviation kerosene, illuminating kerosene, distillate fuel and specified aliphatic hydrocarbons in Section A of Part I of Schedule No. 1 and are deemed to have come into operation retrospectively on 1 January 2002.

(b) The rates of excise duty applicable to aviation kerosene, illuminating kerosene, distillate fuel and specified aliphatic hydrocarbons for purposes of the inserted tariff items contemplated in paragraph (a), shall be equal to the excise duty rates specified under tariff subheading 2710.11 or 2710.12, as the case may be, in Section A of Part 2 to Schedule No. 1 and apply as amended each year retrospectively from 1 January 2002, by notice in the *Government Gazette* and approved by Parliament.

(4)(a) The amendments set out in Part III of Schedule I to this Act make provision for the insertion of fuel levy items under item 195.13 for aviation kerosene, illuminating kerosene, distillate fuel and specified aliphatic hydrocarbons in Part 5A of Schedule No. 1 and are deemed to have come into operation retrospectively on 1 January 2002.

(b) The rates of fuel levy applicable to aviation kerosene, illuminating kerosene, distillate fuel and specified aliphatic hydrocarbons for purposes of the inserted fuel levy items contemplated in paragraph (a), shall be equal to the fuel levy rates specified under tariff item 195.00 in Part 5A to Schedule No. 1 and apply as amended each year retrospectively from 1 January 2002, by notice in the *Government Gazette* and approved by Parliament.

(5)(a) The amendments set out in Part IV of Schedule I to this Act make provision for the insertion of Road Accident Fund (RAF) levy items under 197.13 for aviation kerosene, illuminating kerosene, distillate fuel and specified aliphatic hydrocarbons in Part 5B of Schedule No. 1 and are deemed to have come into operation retrospectively on 1 January 2002.

(b) The rates of RAF levy applicable to aviation kerosene, illuminating kerosene, distillate fuel and specified aliphatic hydrocarbons for purposes of the inserted RAF levy items contemplated in paragraph (a), shall be equal to the RAF levy rates specified under item 197.00, in Part 5B to Schedule No. 1 and apply as amended each year retrospectively from 1 April 2006, by notice in the *Government Gazette* and approved by Parliament.

(6) The Commissioner for the South African Revenue Service may prescribe rules under the Customs and Excise Act, 1964, as may be necessary for the effective implementation of subsections (1) to (5).

114 van 1981, artikel 27 van Wet 86 van 1982, artikel 10 van Wet 89 van 1984, artikel 14 van Wet 101 van 1985, artikel 11 van Wet 69 van 1988, artikel 19 van Wet 68 van 1989, artikel 40 van Wet 59 van 1990, artikel 3 van Wet 111 van 1991, artikel 15 van Wet 105 van 1992, artikel 13 van Wet 98 van 1993, artikel 12 van Wet 19 van 1994, artikel 74 van Wet 45 van 1995, artikel 8 van Wet 44 van 1996, artikel 15 van Wet 27 van 1997, artikel 75 van Wet 30 van 1998, artikel 7 van Wet 32 van 1999, artikel 64 van Wet 30 van 2000, artikel 52 van Wet 19 van 2001, artikel 53 van Wet 30 van 2002, artikel 41 van Wet 12 van 2003, artikel 155 van Wet 45 van 2003, artikel 36 van Wet 16 van 2004, artikel 14 van Wet 9 van 2005, artikel 36 van Wet 9 van 2006, artikel 76 van Wet 8 van 2007, artikel 66 van Wet 3 van 2008, artikel 88 van Wet 17 van 2009, artikel 117 van Wet 7 van 2010, artikel 127 van Wet 24 van 2011, artikel 14 van Wet 13 van 2012, artikel 9 van Wet 23 van 2013, artikel 7 van Wet 42 van 2014, artikel 8 van Wet 13 van 2015, artikel 13 van Wet 13 van 2016, artikel 18 van Wet 14 van 2017, artikel 7 van Wet 21 van 2018, artikel 4 van Wet 32 van 2019, artikel 9 van Wet 22 van 2020, artikel 5 van Wet 19 van 2021, artikel 5 van Wet 19 van 2022 en artikel 7 van Wet 19 van 2023

41. (1) Bylae No. 1 by die Doeane- en Aksynswet, 1964, word hierby gewysig soos in Dele I tot IV van Bylae I by hierdie Wet uiteengesit.

(2) Die wysigings uiteengesit in Deel I van Bylae I by hierdie Wet maak voorsiening vir die invoeging van petroleumolie voorbereidings kragtens tariefsubpos 2710.19 in Deel 1 van Bylae No. 1 en word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

(3)(a) Die wysigings uiteengesit in Deel II van Bylae I by hierdie Wet maak voorsiening vir die invoeging van tariefitems kragtens item 105.13 vir lugvaartkeroseen, ligkeroseen, distillaatbrandstof en gespesifiseerde alifatiese koolwaterstowwe in Artikel A van Deel I van Bylae No. 1 en word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

(b) Die skale van aksynsreg van toepassing op lugvaartkeroseen, ligkeroseen, distillaatbrandstof en gespesifiseerde alifatiese koolwaterstowwe by die toepassing van die ingevoegde tariefitems in paragraaf (a) beoog, sal gelyk wees aan die aksynsregskale vasgestel kragtens tariefsubpos 2710.11 of 2710.12, na gelang van die geval, in Artikel A van Deel 2 van Bylae No. 1 en is van toepassing soos jaarliks gewysig terugwerkend van 1 Januarie 2002, by kennisgewing in die *Staatskoerant* en deur die Parlement goedgekeur.

(4)(a) Die wysigings uiteengesit in Deel III van Bylae I by hierdie Wet maak voorsiening vir die invoeging van brandstofheffingsitems kragtens item 195.13 vir lugvaartkeroseen, ligkeroseen, distillaatbrandstof en gespesifiseerde alifatiese koolwaterstowwe in Deel 5A van Bylae No. 1 en word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

(b) Die skale van brandstofheffing van toepassing op lugvaartkeroseen, ligkeroseen, distillaatbrandstof en gespesifiseerde alifatiese koolwaterstowwe by die toepassing van die ingevoegde brandstofheffingitems in paragraaf (a) beoog, sal gelyk wees aan die brandstofheffingskale vasgestel kragtens tariefitem 195.00 in Deel 5A van Bylae No. 1 en is van toepassing soos jaarliks gewysig terugwerkend van 1 Januarie 2002, tarief by kennisgewing in die *Staatskoerant* en deur die Parlement goedgekeur.

(5)(a) Die wysigings uiteengesit in Deel IV van Bylae I by hierdie Wet maak voorsiening vir die invoeging van Padongelukfonds (RAF) -heffingsitems kragtens 197.13 vir lugvaartkeroseen, ligkeroseen, distillaatbrandstof en gespesifiseerde alifatiese koolwaterstowwe in Deel 5B van Bylae No. 1 en word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

(b) Die skale van RAF-heffing van toepassing op lugvaartkeroseen, ligkeroseen, distillaatbrandstof en gespesifiseerde alifatiese koolwaterstowwe by die toepassing van die ingevoegde RAF-heffingsitems in paragraaf (a) beoog, sal gelyk wees aan die RAF-heffingskale vasgestel kragtens item 197.00, in Deel 5B van Bylae No. 1 en is van toepassing soos jaarliks gewysig terugwerkend van 1 April 2006, by kennisgewing in die *Staatskoerant* en deur die Parlement goedgekeur.

(6) Die Kommissaris vir die Suid-Afrikaanse Inkomstediens mag reëls voorskryf kragtens die Doeane- en Aksynswet, 1964, soos benodig vir die effektiewe inwerkingstelling van subartikels (1) tot (5).

Amendment of Schedule 4 to Act 91 of 1964, as amended by section 106 of Act 20 of 2006 and section 19 of Act 14 of 2017

42. (1) Schedule No. 4 to the Customs and Excise Act, 1964, is hereby amended as set out in Schedule II to this Act.

(2) The amendment set out in Schedule II to this Act makes provision for the insertion of an item to rebate fuel levy and Road Accident Fund (RAF) levy on specified aliphatic hydrocarbons of tariff subheading 2710.19 in Part 4 of Schedule No. 4, and is deemed to have come into operation retrospectively on 1 January 2002 insofar as it relates to fuel levy and 1 April 2006 insofar as it relates to the RAF levy.

(3) The Commissioner for the South African Revenue Service may prescribe rules under the Customs and Excise Act, 1964, as may be necessary for the effective implementation of subsections (1) and (2).

Amendment of Schedule 5 to Act 91 of 1964, as amended by section 19 of Act 14 of 2017

43. (1) Schedule No. 5 to the Customs and Excise Act, 1964, is hereby amended as set out in Schedule III to this Act.

(2) The amendment set out in Schedule III to this Act makes provision for the insertion of item 195.13 to refund duties and levies on distillate fuels used by diplomatic and other foreign representatives in Part 4 of Schedule No. 5 and is deemed to have come into operation retrospectively on 1 January 2002.

(3) The Commissioner for the South African Revenue Service may prescribe rules under the Customs and Excise Act, 1964, as may be necessary for the effective implementation of subsections (1) and (2).

Amendment of Schedule 6 to Act 91 of 1964, as amended by section 19 of Act 14 of 2017, section 9 of Act 22 of 2020, section 5 of Act 19 of 2021, section 25 of Act 20 of 2022 and section 45 of Act 17 of 2023

44. (1) Schedule No. 6 to the Customs and Excise Act, 1964, is hereby amended as set out in Schedule IV to this Act.

(2) The amendments set out in Schedule IV to this Act make provision for the insertion of rebate and refund items under item 105.13 for specific rebates and refunds of excise duties, to the extent provided for in Schedule IV to this Act, on illuminating kerosene, distillate fuel and specified aliphatic hydrocarbons in Section F of Part 1 of Schedule No. 6 and are deemed to have come into operation retrospectively on 1 January 2002.

(3) The Commissioner for the South African Revenue Service may prescribe rules under the Customs and Excise Act, 1964, as may be necessary for the effective implementation of subsections (1) and (2).

Amendment of section 1 of Act 89 of 1991, as amended by section 21 of Act 136 of 1991, paragraph 1 of Government Notice 2695 of 8 November 1991, section 12 of Act 136 of 1992, section 1 of Act 61 of 1993, section 22 of Act 97 of 1993, section 9 of Act 20 of 1994, section 18 of Act 37 of 1996, section 23 of Act 27 of 1997, section 34 of Act 34 of 1997, section 81 of Act 53 of 1999, section 76 of Act 30 of 2000, section 64 of Act 59 of 2000, section 65 of Act 19 of 2001, section 148 of Act 60 of 2001, section 114 of Act 74 of 2002, section 47 of Act 12 of 2003, section 164 of Act 45 of 2003, section 43 of Act 16 of 2004, section 92 of Act 32 of 2004, section 8 of Act 10 of 2005, section 101 of Act 31 of 2005, section 40 of Act 9 of 2006, section 77 of Act 20 of 2006, sections 81 and 108 of Act 8 of 2007, section 104 of Act 35 of 2007, section 68 of Act 3 of 2008, section 104 of Act 60 of 2008, section 33 of Act 18 of 2009, section 119 of Act 7 of 2010, section 26 of Act 8 of 2010, section 129 of Act 24 of 2011, section 271 of Act 28 of 2011, read with item 108 of Schedule 1 to that Act, section 145 of Act 22 of 2012, section 165 of Act 31 of 2013, section 95 of Act 43 of 2014, section 128 of Act 25 of 2015, section 83 of Act 15 of 2016, section 77 of Act 17 of 2017, section

Wysiging van Bylae 4 by Wet 91 van 1964, soos gewysig deur artikel 106 van Wet 20 van 2006 en artikel 19 van Wet 14 van 2017

42. (1) Bylae No. 4 by die Doeane- en Aksynswet, 1964, word hierby gewysig soos in Bylae II by hierdie Wet uiteengesit.

(2) Die wysiging uiteengesit in Bylae II by hierdie Wet maak voorsiening vir die invoeging van 'n item by korting-brandstofheffing en Padongelukfonds (RAF) -heffing op spesifieke alifatiese koolwaterstowwe van tariefspos 2710.19 in Deel 4 van Bylae No. 4, en word geag terugwerkend op 1 Januarie 2002 in werking te getree het soverre dit op brandstofheffing betrekking het en 1 April 2006 soverre dit op RAF-heffing betrekking het.

(3) Die Kommissaris vir die Suid-Afrikaanse Inkomstediens mag reëls voorskryf kragtens die Doeane- en Aksynswet, 1964, soos benodig vir die effektiewe inwerkingstelling van subartikels (1) en (2).

Wysiging van Bylae 5 by Wet 91 van 1964, soos gewysig deur artikel 19 van Wet 14 van 2017

43. (1) Bylae No. 5 by die Doeane- en Aksynswet, 1964, word hierby gewysig soos in Bylae III by hierdie Wet uiteengesit.

(2) Die wysiging uiteengesit in Bylae III by hierdie Wet maak voorsiening vir die invoeging van item 195.13 vir terugbetaling van regte en heffings op brandstof en distillaatbrandstof gebruik deur diplomatieke en ander buitelandse verteenwoordigers in Deel 4 van Bylae No. 5 en word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

(3) Die Kommissaris vir die Suid-Afrikaanse Inkomstediens mag reëls voorskryf kragtens die Doeane- en Aksynswet, 1964, soos benodig vir die effektiewe inwerkingstelling van subartikels (1) en (2).

Wysiging van Bylae 6 by Wet 91 van 1964, soos gewysig deur artikel 19 van Wet 14 van 2017, artikel 9 van Wet 22 van 2020, artikel 5 van Wet 19 van 2021, artikel 25 van Wet 20 van 2022 en artikel 45 van Wet 17 van 2023

44. (1) Bylae No. 6 by die Doeane- en Aksynswet, 1964, word hierby gewysig soos in Bylae IV by hierdie Wet uiteengesit.

(2) Die wysigings in Bylae IV by hierdie Wet uiteengesit, maak voorsiening vir die invoeging van korting en terugbetaling items kragtens item 105.13 vir spesifieke kortings en terugbetalings van aksynsregte, in soverre in Bylae IV by hierdie Wet bepaal, op ligkeroesen, distillaatbrandstof en gespesifiseerde alifatiese koolwaterstowwe in Artikel F van Deel 1 van Bylae No. 6 en word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

(3) Die Kommissaris vir die Suid-Afrikaanse Inkomstediens mag reëls voorskryf kragtens die Doeane- en Aksynswet, 1964, soos benodig vir die effektiewe inwerkingstelling van subartikels (1) en (2).

Wysiging van artikel 1 van Wet 89 van 1991, soos gewysig deur artikel 21 van Wet 136 van 1991, paragraaf 1 van Goewermentskennisgewing 2695 van 8 November 1991, artikel 12 van Wet 136 van 1992, artikel 1 van Wet 61 van 1993, artikel 22 van Wet 97 van 1993, artikel 9 van Wet 20 van 1994, artikel 18 van Wet 37 van 1996, artikel 23 van Wet 27 van 1997, artikel 34 van Wet 34 van 1997, artikel 81 van Wet 53 van 1999, artikel 76 van Wet 30 van 2000, artikel 64 van Wet 59 van 2000, artikel 65 van Wet 19 van 2001, artikel 148 van Wet 60 van 2001, artikel 114 van Wet 74 van 2002, artikel 47 van Wet 12 van 2003, artikel 164 van Wet 45 van 2003, artikel 43 van Wet 16 van 2004, artikel 92 van Wet 32 van 2004, artikel 8 van Wet 10 van 2005, artikel 101 van Wet 31 van 2005, artikel 40 van Wet 9 van 2006, artikel 77 van Wet 20 van 2006, artikels 81 en 108 van Wet 8 van 2007, artikel 104 van Wet 35 van 2007, artikel 68 van Wet 3 van 2008, artikel 104 van Wet 60 van 2008, artikel 33 van Wet 18 van 2009, artikel 119 van Wet 7 van 2010, artikel 26 van Wet 8 van 2010, artikel 129 van Wet 24 van 2011, artikel 271 van Wet 28 van 2011, gelees met item 108 van Bylae 1 by daardie Wet, artikel 145 van Wet 22 van 2012, artikel 165 van Wet 31 van 2013, artikel 95 van Wet 43 van 2014, artikel 128 van Wet 25 van 2015, artikel 83 van Wet 15 van 2016, artikel 77 van Wet 17 van 2017, artikel 89 van Wet

89 of Act 28 of 2018, section 66 of Act 34 of 2019, section 61 of Act 23 of 2020, section 27 of Act 20 of 2022 and section 46 of Act 17 of 2023

45. (1) Section 1 of the Value-Added Tax Act, 1991, is hereby amended by the substitution in subsection (1) for the definition of “resident of the Republic” of the following definition:

“**resident of the Republic**” means—

(a) a resident as defined in section 1 of the Income Tax Act, other than a person that—

(i) is a ‘resident’ solely as a result of having its place of effective management in the Republic as referred to in paragraph (b) of that definition; and

(ii) does not carry on an enterprise in the Republic; or: **Provided that**

(b) any other person or any other company **[shall be deemed to be a resident of the Republic]** to the extent that such person or company carries on in the Republic any enterprise or other activity and has a fixed or permanent place in the Republic relating to such enterprise or other activity;”.

(2) Subsection (1) comes into operation on 1 January 2025.

Amendment of section 8 of Act 89 of 1991, as amended by section 24 of Act 136 of 1991, paragraph 4 of Government Notice 2695 of 8 November 1991, section 15 of Act 136 of 1992, section 24 of Act 97 of 1993, section 11 of Act 20 of 1994, section 20 of Act 46 of 1996, section 25 of Act 27 of 1997, section 83 of Act 53 of 1999, section 67 of Act 19 of 2001, section 151 of Act 60 of 2001, section 166 of Act 45 of 2003, section 95 of Act 32 of 2004, section 102 of Act 31 of 2005, section 172 of Act 34 of 2005, section 42 of Act 9 of 2006, section 79 of Act 20 of 2006, section 27 of Act 36 of 2007, section 106 of Act 60 of 2008, section 91 of Act 17 of 2009, section 120 of Act 7 of 2010, section 131 of Act 24 of 2011, section 146 of Act 22 of 2012, section 166 of Act 31 of 2013, section 21 of Act 44 of 2014, section 129 of Act 25 of 2015, section 24 of Act 16 of 2016, section 78 of Act 17 of 2017, section 10 of Act 21 of 2018, section 68 of Act 34 of 2019, section 62 of Act 23 of 2020 and section 48 of Act 17 of 2023

46. (1) Section 8 of the Value-Added Tax Act, 1991, is hereby amended—

(a) by the substitution of the full stop at the end of paragraph (vi) of a semi-colon;

(b) by the addition to the proviso to subsection (2) after paragraph (vi) of the following paragraph:

“(vii) this subsection shall not apply to a person contemplated in paragraph (xiii) of the proviso to the definition of ‘enterprise’ in section 1(1), where such person—

(aa) paid the tax under section 7(1)(b);

(bb) was registered or was required to be registered under section 23; and

(cc) ceases to be a vendor solely as a consequence of the introduction of paragraph (xiii) of the proviso to the definition of ‘enterprise’ in section 1(1).”; and

(c) by the addition after subsection (29) of the following subsection:

“(30) For the purposes of this Act, where two or more branches of an implementing agency merge into a single branch registration of the same implementing agency where such implementing agency exercised the option to merge all its activities in relation to foreign donor funded projects into a single branch registration under section 50(2A)(b)(ii) of this Act, any existing branch of the implementing agency prior to the merger and the newly merged single branch registration shall be deemed to be one and the same person: Provided that, on the date of that single branch registration, all assets and liabilities of the separate branches are

28 van 2018, artikel 66 van Wet 34 van 2019, artikel 61 van Wet 23 van 2020, artikel 27 van Wet 20 van 2022 en artikel 46 van Wet 17 van 2023

45. (1) Artikel 1 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig deur in subartikel (1) die omskrywing van “inwoner van die Republiek” deur die volgende omskrywing te vervang:

“**‘inwoner van die Republiek’—**

(a) ’n inwoner soos in artikel 1 van die Inkomstebelastingwet omskryf, anders as ’n persoon wat—

(i) ’n ‘inwoner’ is slegs as gevolg daarvan dat die persoon sy plek van effektiewe bestuur in die Republiek het soos in paragraaf (b) van daardie omskrywing bedoel; en

(ii) daardie persoon nie ’n onderneming in die Republiek bedryf nie; of[: **Met dien verstande dat**]

(b) ’n ander persoon of ’n ander maatskappy [**geag word ’n inwoner van die Republiek te wees**] vir sover dié persoon of maatskappy ’n onderneming of ander bedrywigheid in die Republiek bedryf en ’n vaste of permanente plek in die Republiek het wat betrekking het op bedoelde onderneming of bedrywigheid;”.

(2) Subartikel (1) tree op 1 Januarie 2025 in werking.

Wysiging van artikel 8 van Wet 89 van 1991, soos gewysig deur artikel 24 van Wet 136 van 1991, paragraaf 4 van Goewermentskennisgewing 2695 van 8 November 1991, artikel 15 van Wet 136 van 1992, artikel 24 van Wet 97 van 1993, artikel 11 van Wet 20 van 1994, artikel 20 van Wet 46 van 1996, artikel 25 van Wet 27 van 1997, artikel 83 van Wet 53 van 1999, artikel 67 van Wet 19 van 2001, artikel 151 van Wet 60 van 2001, artikel 166 van Wet 45 van 2003, artikel 95 van Wet 32 van 2004, artikel 102 van Wet 31 van 2005, artikel 172 van Wet 34 van 2005, artikel 42 van Wet 9 van 2006, artikel 79 van Wet 20 van 2006, artikel 27 van Wet 36 van 2007, artikel 106 van Wet 60 van 2008, artikel 91 van Wet 17 van 2009, artikel 120 van Wet 7 van 2010, artikel 131 van Wet 24 van 2011, artikel 146 van Wet 22 van 2012, artikel 166 van Wet 31 van 2013, artikel 21 van Wet 44 van 2014, artikel 129 van Wet 25 van 2015, artikel 24 van Wet 16 van 2016, artikel 78 van Wet 17 van 2017, artikel 10 van Wet 21 van 2018, artikel 68 van Wet 34 van 2019, artikel 62 van Wet 23 van 2020 en artikel 48 van Wet 17 van 2023

46. (1) Artikel 8 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig—

(a) deur by die voorbehoudsbepaling tot subartikel (2) die punt aan die einde van paragraaf (vi) met ’n kommapunt te vervang;

(b) deur by die voorbehoudsbepaling tot subartikel (2) na paragraaf (vi) die volgende paragraaf by te voeg:

“(vii) hierdie subartikel nie van toepassing is nie op ’n persoon beoog in paragraaf (xiii) van die voorbehoudsbepaling tot die omskrywing van ‘onderneming’ in artikel 1(1), waar daardie persoon—

(aa) die belasting kragtens artikel 7(1)(b) betaal het;

(bb) kragtens artikel 23 geregistreer was of vereis was om geregistreer te wees; en

(cc) ophou om ’n ondernemer te wees slegs as gevolg van die instelling van paragraaf (xiii) van die voorbehoudsbepaling tot die omskrywing van ‘onderneming’ in artikel 1(1).”;

(c) deur na subartikel (29) die volgende subartikel by te voeg:

“(30) By die toepassing van hierdie Wet, waar twee of meer takke van ’n implementerende agentskap in ’n enkele takregistrasie van dieselfde implementerende agentskap saamsmelt waar daardie implementerende agentskap die opsie uitgeoefen het om al hul aktiwiteite met betrekking tot buitelandse skenker-gefinansierde projekte saam te smelt in ’n enkele takregistrasie kragtens artikel 50(2A)(b)(ii) van hierdie Wet, word enige bestaande tak van die implementerende agentskap voor die same-smelting en die nuut saamgesmelte takregistrasie geag een en dieselfde persoon te wees: Met dien verstande dat, op die datum van daardie enkele takregistrasie, alle bates en aanspreeklikhede van die afsonderlike takke

transferred to, and the enterprises conducted by the said branches |
continues as is in the single branch registration.”.

(2) Paragraph (a) of subsection (1) is deemed to have come into operation on 1 January 2023.

(3) Paragraph (b) of subsection (1) comes into operation on 1 January 2025.

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Amendment of section 8A of Act 89 of 1991, as inserted by section 121 of Act 7 of 2010 and amended by section 132 of Act 24 of 2011 and section 69 of Act 34 of 2019

47. (1) Section 8A of the Value-Added Tax Act, 1991, is hereby amended by the addition after subsection (2) of the following subsection:

“(3) For the purposes of this Act, in the case of any ‘mudaraba’ as defined in section 24JA(1) of the Income Tax Act, the portion of any return contemplated in paragraph (e) of that definition that is paid or payable by the bank to the client shall be deemed to be consideration to the client in respect of a financial service provided as contemplated in section 2(1)(f): Provided that this subsection shall not apply to the extent to which the consideration constitutes any fee, commission or similar charge.”.

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(2) Subsection (1) comes into operation on 1 April 2025.

Amendment of section 11 of Act 89 of 1991, as amended by section 27 of Act 136 of 1991, Government Notice 2695 of 8 November 1991, section 17 of Act 136 of 1992, section 27 of Act 97 of 1993, section 13 of Act 20 of 1994, section 28 of Act 27 of 1997, section 89 of Act 30 of 1998, section 85 of Act 53 of 1999, section 77 of Act 30 of 2000, section 43 of Act 5 of 2001, section 153 of Act 60 of 2001, section 169 of Act 45 of 2003, section 46 of Act 16 of 2004, section 98 of Act 32 of 2004, section 21 of Act 9 of 2005, section 105 of Act 31 of 2005, section 44 of Act 9 of 2006, section 81 of Act 20 of 2006, section 105 of Act 35 of 2007, section 29 of Act 36 of 2007, Government Notice R.1024 in Government Gazette 32664 of 30 October 2009, section 134 of Act 24 of 2011, section 169 of Act 31 of 2013, section 96 of Act 43 of 2014, section 132 of Act 25 of 2015, section 81 of Act 17 of 2017, section 54 of Act 34 of 2019, section 64 of Act 23 of 2020 and section 52 of Act 20 of 2021

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48. (1) Section 11 of the Value-Added Tax Act, 1991, is hereby amended—

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(a) by the substitution in subsection (1) for paragraph (h) of the following paragraph:

“(h) the goods consist of fuel levy goods referred to in Fuel Item Levy numbers 195.10.03, 195.10.17, 195.13.17, 195.20.01 and 195.20.03 in Part 5A of Schedule No. 1 to the Customs and Excise Act; or”;
and

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(b) by the substitution in subsection (1) for paragraph (l) of the following paragraph:

“(l) the goods consist of illuminating kerosene (marked) intended for use as fuel for illuminating or heating, referred to in Fuel Item Levy numbers 195.10.13 and 195.13.13 in Part 5A of Schedule No. 1 to the Customs and Excise Act and are not mixed or blended with another substance; or”.

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(2) Subsection (1) is deemed to have come into operation retrospectively on 1 January 2002.

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Amendment of section 22 of Act 89 of 1991, as amended by section 33 of Act 136 of 1991, paragraph 13 of Government Notice 2695 of 8 November 1991, section 27 of Act 136 of 1992, section 25 of Act 37 of 1996, section 36 of Act 27 of 1997, section 95 of Act 30 of 1998, section 177 of Act 45 of 2003, section 110 of Act 31 of 2005, section 86 of Act 20 of 2006, section 140 of Act 24 of 2011, section 177 of Act 31 of 2013, section 91 of Act 23 of 2018 and section 66 of Act 23 of 2020

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49. (1) Section 22 of the Value-Added Tax Act, 1991, is hereby amended by the substitution for subsection (2) of the following subsection:

oorgedra word aan, en die ondernemings wat gedryf word deur die voormelde takke, gaan net so voort in die enkele takregistrasie.”.

(2) Paragraaf (a) van subartikel (1) word geag op 1 Januarie 2023 in werking te getree het.

(3) Paragraaf (b) van subartikel (1) tree op 1 Januarie 2025 in werking.

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Wysiging van artikel 8A van Wet 89 van 1991, soos ingevoeg deur artikel 121 van Wet 7 van 2010 en gewysig deur artikel 132 van Wet 24 van 2011 en artikel 69 van Wet 34 van 2019

47. (1) Artikel 8A van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig deur na subartikel (2) die volgende subartikel by te voeg:

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“(3) By die toepassing van hierdie Wet, in die geval van ’n ‘mudaraba’ soos omskryf in artikel 24JA(1) van die Inkomstebelastingwet, word die gedeelte van die opbrengs beoog in paragraaf (e) van daardie omskrywing wat deur die bank aan die kliënt betaal of betaalbaar is, geag vergoeding aan die kliënt te wees ten opsigte van ’n finansiële diens gelewer soos in artikel 2(1)(f) beoog: Met dien verstande dat hierdie subartikel nie van toepassing is nie vir sover die vergoeding ’n fooi, kommissie of soortgelyke bedrag uitmaak.”.

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(2) Subartikel (1) tree op 1 April 2025 in werking.

Wysiging van artikel 11 van Wet 89 van 1991, soos gewysig deur artikel 27 van Wet 136 van 1991, Goewermentskennisgewing 2695 van 8 November 1991, artikel 17 van Wet 136 van 1992, artikel 27 van Wet 97 van 1993, artikel 13 van Wet 20 van 1994, artikel 28 van Wet 27 van 1997, artikel 89 van Wet 30 van 1998, artikel 85 van Wet 53 van 1999, artikel 77 van Wet 30 van 2000, artikel 43 van Wet 5 van 2001, artikel 153 van Wet 60 van 2001, artikel 169 van Wet 45 van 2003, artikel 46 van Wet 16 van 2004, artikel 98 van Wet 32 van 2004, artikel 21 van Wet 9 van 2005, artikel 105 van Wet 31 van 2005, artikel 44 van Wet 9 van 2006, artikel 81 van Wet 20 van 2006, artikel 105 van Wet 35 van 2007, artikel 29 van Wet 36 van 2007, Goewermentskennisgewing R.1024 in Staatskoerant 32664 van 30 Oktober 2009, artikel 134 van Wet 24 van 2011, artikel 169 van Wet 31 van 2013, artikel 96 van Wet 43 van 2014, artikel 132 van Wet 25 van 2015, artikel 81 van Wet 17 van 2017, artikel 54 van Wet 34 van 2019, artikel 64 van Wet 23 van 2020 en artikel 52 van Wet 20 van 2021

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48. (1) Artikel 11 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig—

(a) deur in subartikel (1) paragraaf (h) deur die volgende paragraaf te vervang:

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“(h) die goed bestaan uit brandstofheffinggoedere bedoel in Brandstof Item Heffing nommers 195.10.03, 195.10.17, 195.13.17, 195.20.01 en 195.20.03 in Deel 5A van Bylae No. 1 by die Doeane- en Aksynswet; of”; en

(b) deur in subartikel (1) paragraaf (l) deur die volgende paragraaf te vervang:

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“(l) die goed bestaan uit ligkeroseen (gemerk) bedoel vir gebruik as brandstof vir verligting of verhitting, bedoel in Brandstof Item Heffing nommer 195.10.13 en 195.13.13 in Deel 5A van Bylae No. 1 by die Doeane- en Aksynswet en nie met ’n ander stof gemeng of vermeng is nie; of”.

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(2) Subartikel (1) word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

Wysiging van artikel 22 van Wet 89 van 1991, soos gewysig deur artikel 33 van Wet 136 van 1991, paragraaf 13 van Goewermentskennisgewing 2695 van 8 November 1991, artikel 27 van Wet 136 van 1992, artikel 25 van Wet 37 van 1996, artikel 36 van Wet 27 van 1997, artikel 95 van Wet 30 van 1998, artikel 177 van Wet 45 van 2003, artikel 110 van Wet 31 van 2005, artikel 86 van Wet 20 van 2006, artikel 140 van Wet 24 van 2011, artikel 177 van Wet 31 van 2013, artikel 91 van Wet 23 van 2018 en artikel 66 van Wet 23 van 2020

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49. (1) Artikel 22 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

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“(2) Where any amount in respect of which a deduction has been made in accordance with subsection (1) or (1A) is at any time wholly or partly recovered by the vendor, or becomes recoverable by him by virtue of the reassignment to him of the underlying debt, that portion of the amount of such deduction as bears to the full amount of such deduction the same ratio as the amount of the irrecoverable debt recovered or reassigned bears to the debt written off shall be deemed to be tax charged in relation to a taxable supply made during the tax period in which the debt is wholly or partly recovered or assigned to such vendor.”.

(2) Subsection (1) comes into operation on 1 April 2025.

Amendment of section 50 of Act 89 of 1991, as amended by section 38 of Act 136 of 1991, section 271 of Act 28 of 2011, section 13 of Act 22 of 2018 and section 72 of Act 34 of 2019

50. (1) Section 50 of the Value-Added Tax Act, 1991, is hereby amended by the substitution for subsection (2A) of the following subsection:

“(2A) The implementing agency—

- (a) shall be required to make an application to the Commissioner to register the activities referred to in the proviso to subsection (1) as part of a single separate branch of the vendor in respect of such project registered in terms of section 23 on or after 01 January 2025; or
- (b) may, in respect of any of the activities referred to in the proviso to subsection (1) registered with the Commissioner on or before 31 December 2024—
 - (i) retain an existing and separate branch registration; or
 - (ii) make an application to the Commissioner to register the foreign donor funded project that has been registered separately as a single separate branch of the vendor:

Provided that such implementing agency shall maintain and retain (in addition to the other requirements under this Act)—

- (i) an independent system of accounting for each foreign donor funded project;
- (ii) an annual list of all the registered projects along with the respective foreign donor funded project reference numbers, their commencement and end dates, that are accounted for under such separately registered single branch during the financial year;
- (iii) a reconciliation of the values submitted for each tax period of the separately registered branch with the values of each foreign donor funded project respectively; and
- (iv) written confirmation from the Minister that the foreign donor funded project is a project established in terms of an official development assistance agreement, as contemplated in the definition of ‘foreign donor funded project’ in section 1(1) for each foreign donor funded project accounted for under the separately registered branch.”.

(2) Subsection (1) comes into operation on 1 January 2025.

Amendment of section 54 of Act 89 of 1991, as amended by section 40 of Act 136 of 1991, section 34 of Act 136 of 1992, section 25 of Act 20 of 1994, section 46 of Act 27 of 1997, section 100 of Act 53 of 1999, section 51 of Act 16 of 2004, section 102 of Act 43 of 2014, section 34 of Act 44 of 2014, section 12 of Act 21 of 2018 and section 52 of Act 17 of 2023

51. (1) Section 54 of the Value-Added Tax Act, 1991, is hereby amended by the substitution for subsection (2B) of the following subsection:

“(2B)(a) For the purposes of this Act, where electronic services are supplied by an intermediary, who is acting on behalf of another person who is the principal for the purposes of that supply, and—

- (i) the intermediary is a vendor;

“(2) Waar ’n bedrag ten opsigte waarvan ’n aftrekking ooreenkomstig subartikel (1) of (1A) gemaak is te eniger tyd in geheel of gedeeltelik deur die ondernemer verhaal is of deur hom verhaalbaar word op grond van die [herassignasie] hertoewysing van die onderliggende skuld aan hom, word die gedeelte van die bedrag van daardie aftrekking wat in dieselfde verhouding tot die volle bedrag van daardie aftrekking staan as die verhouding waarin die bedrag van die onverhaalbare skuld wat verhaal is of herassigneer word tot die skuld wat afgeskryf is, staan, geag belasting te wees wat gehef word met betrekking tot ’n belasbare lewering gedoen gedurende die belastingtydperk waarin die skuld in geheel of gedeeltelik verhaal word of aan daardie ondernemer herassigneer word.”.

(2) Subartikel (1) tree op 1 April 2025 in werking.

Wysiging van artikel 50 van Wet 89 van 1991, soos gewysig deur artikel 38 van Wet 136 van 1991, artikel 271 van Wet 28 van 2011, artikel 13 van Wet 22 van 2018 en artikel 72 van Wet 34 van 2019

50. (1) Artikel 50 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig deur subartikel (2A) deur die volgende subartikel te vervang:

“(2A) Die implementerende agentskap—

- (a) moet by die Kommissaris aansoek doen om die aktiwiteite bedoel in die voorbehoudsbepaling in subartikel (1) te registreer as ’n enkele afsonderlike tak van die ondernemer ten opsigte van sodanige projek wat ingevolge artikel 23 op of na 01 Januarie 2025 gereigtreer is; of
 - (b) kan, ten opsigte van enige van die aktiwiteite in die voorbehoudsbepaling by subartikel (1) bedoel wat voor of op 31 Desember by die Kommissaris geregistreer is—
 - (i) ’n bestaande en afsonderlike takregistrasie behou; of
 - (ii) by die Kommissaris aansoek doen om die buitelandse skenker-gefinansierde projek wat apart geregistreer is, as ’n enkele aparte tak van die handelaar te registreer:
- Met dien verstande dat sodanige implementerende agentskap moet onderhou en behou (benewens die ander vereistes kragtens hierdie Wet)—
- (i) ’n onafhanklike terboekstellingstelsel vir elke buitelandse skenker-gefinansierde projek;
 - (ii) ’n jaarlikse lys van al die geregistreerde projekte saam met die onderskeie verwysingsnommers van buitelandse skenker-gefinansierde projekte, hul begin- en einddatums, waarvoor onder sodanige afsonderlik geregistreerde enkele tak rekenskap gegee word tydens die boekjaar;
 - (iii) ’n rekonsiliasie van die waardes wat vir elke belastingtydperk van die afsonderlik geregistreerde tak ingedien is, met onderskeidelik die waardes van elke buitelandse skenker-gefinansierde projek; en
 - (iv) skriftelike bevestiging van die Minister dat die buitelandse skenker-gefinansierde projek ’n projek is wat ingevolge ’n amptelike ontwikkelingshulp-ooreenkoms opgerig is, soos beoog in die omskrywing van ‘buitelandse skenker-gefinansierde projek’ in artikel 1(1) vir elke buitelandse skenker-gefinansierde projek onder die afsonderlik geregistreerde tak in rekening gebring.”.

(2) Subartikel (1) tree op 1 Januarie 2025 in werking.

Wysiging van artikel 54 van Wet 89 van 1991, soos gewysig deur artikel 40 van Wet 136 van 1991, artikel 34 van Wet 136 van 1992, artikel 25 van Wet 20 van 1994, artikel 46 van Wet 27 van 1997, artikel 100 van Wet 53 van 1999, artikel 51 van Wet 16 van 2004, artikel 102 van Wet 43 van 2014, artikel 34 van Wet 44 van 2014, artikel 12 van Wet 21 van 2018 en artikel 52 van Wet 17 van 2023

51. (1) Artikel 54 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig deur subartikel (2B) deur die volgende subartikel te vervang:

“(2B)(a) By die toepassing van hierdie Wet, waar elektroniese dienste gelewer word deur ’n tussenganger wat ten behoeve van ’n ander persoon optree wat die prinsipaal is vir doeleindes van daardie lewering, en—

- (i) die tussenganger is ’n ondernemer;

(ii) the principal is not a resident of the Republic **[and is not a registered vendor]**; and

(iii) the electronic services are supplied or to be supplied by the principal to a person in the Republic,

that supply shall be deemed to be made by such intermediary and not by that principal where the principal and intermediary agree, in writing, to treat that supply as if made by the intermediary. 5

(b) Subject to the provisions of section 46, where the intermediary and principal agree to treat that supply as contemplated in paragraph (a) as if made by the intermediary, the principal and intermediary shall be held jointly and severally liable for performing the duties of the principal or intermediary under this Act and paying the tax imposed by this Act in respect of the taxable supplies made under such agreement.”. 10

(2) Subsection (1) comes into operation on 1 April 2025.

Amendment of Schedule 1 to Act 89 of 1991, as amended by section 48 of Act 136 of 1991, section 43 of Act 136 of 1992, Government Notice No. 2244 of 31 July 1992, section 44 of Act 97 of 1993, Government Notice No. 1955 of 7 October 1993, section 32 of Act 20 of 1994, section 32 of Act 37 of 1996, section 53 of Act 27 of 1997, substituted by section 177 of Act 60 of 2001, amended by section 58 of Act 30 of 2002, section 121 of Act 74 of 2002, Government Notice No. R.111 in Government Gazette 24274 of 17 January 2003, section 189 of Act 45 of 2003, sections 52 to 55 of Act 16 of 2004, section 108 of Act 32 of 2004, sections 111 to 123 of Act 31 of 2005, sections 52 to 53 of Act 9 of 2006, section 89 of Act 20 of 2006, section 109 of Act 8 of 2007, section 85 of Act 8 of 2007, Government Notice No. R.958 in Government Gazette 30370 of 12 October 2007, section 107 of Act 35 of 2007, Government Notice No. R.766 in Government Gazette 32416 of 24 July 2009, Government Notices Nos. R.154 and R.157 in Government Gazette 34046 of 1 March 2011, section 143 of Act 24 of 2011, Government Notice No. R.187 in Government Gazette 35102 of 2 March 2012, Government Notice No. R.506 in Government Gazette 35481 of 6 July 2012, Government Notice No. 995 in Government Gazette 35932 of 7 December 2012, Government Notice No. R.1072 in Government Gazette 36002 of 14 December 2012, section 181 of Act 31 of 2013, Government Notice No. R.288 in Government Gazette 37554 of 17 April 2014, section 107 of Act 43 of 2014, Government Notice No. R.723 in Government Gazette 39100 of 14 August 2015, Government Notice No. R.558 in Government Gazette 40004 of 20 May 2016, section 87 of Act 15 of 2016, section 31 of Act 16 of 2016, section 74 of Act 34 of 2019, Government Notice No. R.226 in Government Gazette 43051 of 28 February 2020, Government Notice No. R.1069 in Government Gazette 43781 of 9 October 2020, section 25 of Act 16 of 2022, Government Notice No. R.3780 in Government Gazette 49104 of 11 August 2023 and section 53 of Act 17 of 2023 15 20 25 30 35 40

52. (1) Schedule 1 of the Value-Added Tax Act, 1991, is hereby amended—

(a) by the substitution in paragraph 7 in subparagraph (c)(i) for subitem (dd) of the following subitem:

“(dd) 195.10.17 and 195.13.17: Distillate fuel, as defined in Additional Note 1(g) to Chapter 27 in Part 1 of Schedule No. 1 to the Customs and Excise Act;”; and 45

(b) by the substitution in paragraph 7 in subparagraph (c) for item (iv) of the following item:

“(iv) illuminating kerosene (marked) as defined in Additional Note 1(f) to Chapter 27 in Part 1 of Schedule No. 1 to the Customs and Excise Act, referred to in fuel levy **[item] items** no. 195.10.13 and 195.13.13 in Part 5A of Schedule No. 1 to the Customs and Excise Act and which are not mixed or blended with another substance; or”. 50

(2) Subsection (1) is deemed to have come into operation retrospectively on 1 January 2002. 55

- (ii) die prinsipaal is nie 'n inwoner van die Republiek nie [**en nie 'n geregistreerde ondernemer nie**]; en
- (iii) die elektroniese dienste word gelewer of gelewer gaan word deur die prinsipaal aan 'n persoon in die Republiek, word daardie lewering geag gemaak te wees deur daardie ondernemer en nie deur daardie prinsipaal nie waar die prinsipaal en die tussenganger skriftelik ooreenkom om daardie lewering te behandel asof dit deur die tussenganger gemaak is. 5
- (b) Behoudens die bepalings van artikel 46, waar die tussenganger en prinsipaal ooreenkom om daardie lewering te behandel soos in paragraaf (a) beoog asof deur die tussenganger gemaak, word die prinsipaal en tussenganger gesamentlik en afsonderlik aanspreeklik gehou om die pligte van die prinsipaal of tussenganger kragtens hierdie Wet uit te voer en die belasting deur hierdie Wet opgelê te betaal ten opsigte van die belasbare lewerings kragtens sodanige ooreenkoms gemaak.” 10

(2) Subartikel (1) tree op 1 April 2025 in werking.

Wysiging van Bylae 1 by Wet 89 van 1991, soos gewysig deur artikel 48 van Wet 136 van 1991, artikel 43 van Wet 136 van 1992, Goewermentskennisgewing No. 2244 van 31 Julie 1992, artikel 44 van Wet 97 van 1993, Goewermentskennisgewing No. 1955 van 7 Oktober 1993, artikel 32 van Wet 20 van 1994, artikel 32 van Wet 37 van 1996, artikel 53 van Wet 27 van 1997, vervang deur artikel 177 van Wet 60 van 2001, gewysig deur artikel 58 van Wet 30 van 2002, artikel 121 van Wet 74 van 2002, Goewermentskennisgewing No. R.111 in *Staatskoerant* 24274 van 17 Januarie 2003, artikel 189 van Wet 45 van 2003, artikels 52 tot 55 van Wet 16 van 2004, artikel 108 van Wet 32 van 2004, artikels 111 tot 123 van Wet 31 van 2005, artikels 52 tot 53 van Wet 9 van 2006, artikel 89 van Wet 20 van 2006, artikel 109 van Wet 8 van 2007, artikel 85 van Wet 8 van 2007, Goewermentskennisgewing No. R.958 in *Staatskoerant* 30370 van 12 Oktober 2007, artikel 107 van Wet 35 van 2007, Goewermentskennisgewing No. R.766 in *Staatskoerant* 32416 van 24 Julie 2009, Goewermentskennisgewing Nos. R.154 en R.157 in *Staatskoerant* 34046 van 1 Maart 2011, artikel 143 van Wet 24 van 2011, Goewermentskennisgewing No. R.187 in *Staatskoerant* 35102 van 2 Maart 2012, Goewermentskennisgewing No. R.506 in *Staatskoerant* 35481 van 6 Julie 2012, Goewermentskennisgewing No. 995 in *Staatskoerant* 35932 van 7 Desember 2012, Goewermentskennisgewing No. R.1072 in *Staatskoerant* 36002 van 14 Desember 2012, artikel 181 van Wet 31 van 2013, Goewermentskennisgewing No. R.288 in *Staatskoerant* 37554 van 17 April 2014, artikel 107 van Wet 43 van 2014, Goewermentskennisgewing No. R.723 in *Staatskoerant* 39100 van 14 Augustus 2015, Goewermentskennisgewing No. R.558 in *Staatskoerant* 40004 van 20 Mei 2016, artikel 87 van Wet 15 van 2016, artikel 31 van Wet 16 van 2016, artikel 74 van Wet 34 van 2019, Goewermentskennisgewing No. R.226 in *Staatskoerant* 43051 van 28 Februarie 2020, Goewermentskennisgewing No. R.1069 in *Staatskoerant* 43781 van 9 Oktober 2020, artikel 25 van Wet 16 van 2022, Goewermentskennisgewing No. R.3780 in *Staatskoerant* 49104 van 11 Augustus 2023 en artikel 53 van Wet 17 van 2023 15 20 25 30 35 40

52. (1) Bylae 1 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig—

- (a) deur in paragraaf 7 in subparagraaf (c)(i) subitem (dd) deur die volgende subitem te vervang: 45
- “(dd)195.10.17 en 195.13.17: Distillaat brandstof, soos omskryf in Addisionele Opmerking 1(g) by Hoofstuk 27 in Deel 1 van Bylae No. 1 by die Doeane- en Aksynswet;” en
- (b) deur in paragraaf 7 in subparagraaf (c) item (iv) deur die volgende item te vervang: 50
- “(iv) ligkeroseen (gemerk) soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27 in Deel 1 van Bylae No. 1 by die Doeane- en Aksynswet, bedoel in brandstofheffing [**item**] items no. 195.10.13 en 195.13.13 in Deel 5A van Bylae No. 1 by die Doeane- en Aksynswet en wat nie met 'n ander stof gemeng of vermeng is nie; of” 55

(2) Subartikel (1) word geag terugwerkend op 1 Januarie 2002 in werking te getree het.

Amendment of section 1 of Act 25 of 2007, as amended by section 145 of Act 24 of 2011, section 153 of Act 22 of 2012, section 110 of Act 43 of 2014, section 137 of Act 25 of 2015, section 90 of Act 15 of 2016, section 90 of Act 17 of 2017, section 76 of Act 34 of 2019, section 67 of Act 23 of 2020 and section 56 of Act 20 of 2021

53. Section 1 of the Securities Transfer Tax Act, 2007, is hereby amended by the substitution in subsection (1) in the definition of “collateral arrangement” for subparagraph (i) of the exclusion of the following subparagraph: 5

“(i) has not transferred the identical share or bond contemplated in paragraph [(b)] (c) to the transferor within the period referred to in that paragraph unless such failure to return such identical share or bond is due to an arrangement that is announced and released as a corporate action as contemplated in the JSE Limited Listings Requirements in the SENS (Stock Exchange News Service) as defined in the JSE Limited Listings Requirements or a corporate action as contemplated in the listings requirements of any other exchange, licenced under the Financial Markets Act, that are substantially the same as the requirements prescribed by the JSE Limited Listings Requirements, where that corporate action complies with the applicable requirements of that exchange; or”.

Amendment of section 8 of Act 25 of 2007, as amended by section 73 of Act 3 of 2008, section 127 of Act 60 of 2008, section 97 of Act 17 of 2009, section 127 of Act 7 of 2010, section 148 of Act 24 of 2011, section 155 of Act 22 of 2012, section 183 of Act 31 of 2013, section 138 of Act 25 of 2015, section 15 of Act 22 of 2018, section 68 of Act 23 of 2020 and section 57 of Act 20 of 2021 20

54. Section 8 of the Securities Transfer Tax Act, 2007, is hereby amended by the substitution in subsection (1) for paragraph (h) of the following paragraph: 25

“(h) if the person to whom that security is transferred is an heir or a legatee who has acquired that security *ab intestatio* intestato or by way of testamentary succession or as a result of a redistribution of the assets of a deceased estate in the process of liquidation;”.

Amendment of section 6A of Act 28 of 2008, as inserted by section 134 of Act 7 of 2010 and substituted by section 185 of Act 31 of 2013 and amended by section 96 of Act 23 of 2018 30

55. Section 6A of the Mineral and Petroleum Resources Royalty Act, 2008, is hereby amended—

(a) by the substitution in subsection (1) for paragraph (a) of the following paragraph: 35

“(a) is transferred below the condition specified in Schedule 2 for that mineral resource, the mineral resource must be treated as **[having]** if that mineral resource had been [brought to] transferred in the condition specified for that mineral resource; or”; and 40

(b) by the substitution in subsection (1A) for paragraph (a) of the following paragraph:

“(a) in a condition below the minimum of the range of conditions specified in Schedule 2 for that mineral resource, the mineral resource must be treated as **[having]** if that mineral resource had been [brought to] transferred at the minimum of the range of conditions specified for that mineral resource;”.

Wysiging van artikel 1 van Wet 25 van 2007, soos gewysig deur artikel 145 van Wet 24 van 2011, artikel 153 van Wet 22 van 2012, artikel 110 van Wet 43 van 2014, artikel 137 van Wet 25 van 2015, artikel 90 van Wet 15 van 2016, artikel 90 van Wet 17 van 2017, artikel 76 van Wet 34 van 2019, artikel 67 van Wet 23 van 2020 en artikel 56 van Wet 20 van 2021

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53. Artikel 1 van die Wet op Oordrag van Sekuriteite, 2007, word hierby gewysig deur in subartikel (1) in die omskrywing van “kollaterale reëling” subparagraaf (i) van die uitsluiting deur die volgende subparagraaf te vervang:

- “(i) nie die identiese aandeel of verband beoog in paragraaf [(b)] (c) aan die oordraggewer teruggelewer het binne die tydperk in daardie paragraaf bedoel 10
nie, tensy bedoelde ingebrekeblywing om bedoelde aandeel of verband terug te lewer te wyte is aan ’n ooreenkoms wat aangekondig en verklaar word as ’n ‘corporate action’ soos beoog in die ‘JSE Limited Listings Requirements’ in die ‘SENS (Stock Exchange News Service)’ soos omskryf in die ‘JSE Limited Listings Requirements’ of ’n korporatiewe handeling soos beoog in die 15
noteringsvereistes van enige ander beurs, kragtens die ‘Financial Markets Act’ gelisensieer, wat wesenlik dieselfde is as die vereistes deur die ‘JSE Limited Listings Requirements’, waar daardie korporatiewe handeling voldoen aan die toepaslike vereistes van daardie beurs; of”.

Wysiging van artikel 8 van Wet 25 van 2007, soos gewysig deur artikel 73 van Wet 20 3 van 2008, artikel 127 van Wet 60 van 2008, artikel 97 van Wet 17 van 2009, artikel 127 van Wet 7 van 2010, artikel 148 van Wet 24 van 2011, artikel 155 van Wet 22 van 2012, artikel 183 van Wet 31 van 2013, artikel 138 van Wet 25 van 2015, artikel 15 van Wet 22 van 2018, artikel 68 van Wet 23 van 2020 en artikel 57 van Wet 20 van 2021

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54. Artikel 8 van die Wet op Oordrag van Sekuriteite, 2007, word hierby gewysig deur in subartikel (1) paragraaf (h) deur die volgende paragraaf te vervang:

- “(h) indien die persoon aan wie daardie sekuriteit oorgedra word ’n erfgenaam of legataris is wat daardie sekuriteit *ab [intestatio] intestato* of by wyse van testamentêre erfopvolging of as gevolg van ’n herverdeling van die bates van 30
’n afgestorwe boedel onder likwidasië verkry het;”.

Phetošo ya karolo ya 6A ya Molao wa No. ya 28 wa 2008, bjalo ka ge e tsentswe ke karolo ya 134 ya Molao wa No. ya 7 wa 2010 ebile e tseetšwe legato ke karolo ya 185 ya Molao wa No. ya 31 wa 2013 le go fetošwa ke karolo ya 96 ya Molao wa No. ya 23 wa 2018

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55. Karolo ya 6A ya Molao wa Tefišo ya Tšhomišo ya Methopo ya Minirale le Petroleamo, wa 2008, e fetošwa—

- (a) ke go tsenywa ga temana ye e latelago legatong la temana ya (a) ka go karolwana ya (1):
- “(a) e fetišetšwa ka fase ga seemo seo se laeditšwego ka go etule ya 2 40
malebana le mothopo woo wa minerale, mothopo woo wa minerale o swanetše go tšewa bjalo ka woo [o nago le] ge e ba minerale woo o be [o tlišitšwe go] fetišetšwa ka seemo seo se laeditšwego malebana le mothopo woo wa minerale; goba”; le
- (b) ke go tsenywa ga temana ye e latelago legatong la temana ya (a) ka 45
go karolwana ya (1A):
- “(a) ka gare ga seemo seo bonnyane bja maemo a go fapafapana a laeditšwego ka go etule ya 2 malebana le minerale woo, mothopo woo wa minerale o swanetše go tšewa bjalo ka woo [o nago le] ge e ba minerale woo o be [o tlišitšwe go] 50
fetišetšwa ka maemo a go fapafapana a mannyane ao a laeditšwego malebana le mothopo woo wa minerale;”.

Amendment of section 1 of Act 26 of 2013, as amended by section 112 of Act 43 of 2014, section 93 of Act 15 of 2016, section 101 of Act 23 of 2018, section 78 of Act 34 of 2019, section 2 of Act 13 of 2020 and section 58 of Act 20 of 2021

56. (1) Section 1 of the Employment Tax Incentive Act, 2013, is hereby amended by the substitution in subsection (1) in the definition of “monthly remuneration” for the proviso of the following proviso: 5

“: Provided that in determining the remuneration paid or payable, an amount other than a cash payment **[that is due and payable]** to the employee after **[having accounted for]** adding back deductions in terms of section 34(1)(b) of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), must be disregarded;”. 10

(2) Subsection (1) is deemed to have come into operation on 1 March 2025 and applies in respect of years of assessment commencing on or after that date.

Amendment of section 5 of Act 26 of 2013, as amended by section 114 of Act 43 of 2014

57. (1) Section 5 of the Employment Tax Incentive Act, 2013, is hereby amended— 15

(a) by the substitution for the heading of the following heading:

“**Penalty and disqualification [in respect of displacement]**”; and

(b) by the addition after subsection (2) of the following subsection:

“(3) If an employer receives the employment tax incentive in respect of an amount that must be disregarded in terms of the proviso to the definition of ‘monthly remuneration’ in section 1(1), that employer must pay a penalty to the South African Revenue Service in an amount equal to 100 per cent of the employment tax incentive received in respect of that employee in respect of each month that the employer received the employment tax incentive relating to the amount that should have been so disregarded.”. 20 25

(2) Subsection (1) comes into operation on 1 March 2025 and applies in respect of years of assessment commencing on or after that date.

Amendment of section 13 of Act 31 of 2013, as amended by section 144 of Act 25 of 2015, section 98 of Act 15 of 2016, section 93 of Act 17 of 2017, section 98 of Act 23 of 2018, section 82 of Act 34 of 2019, section 71 of Act 23 of 2020, section 60 of Act 20 of 2021, section 35 of Act 20 of 2022 and section 60 of Act 17 of 2023 30

58. (1) Section 13 of the Taxation Laws Amendment Act, 2013, is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Subsection (1) comes into operation on 1 January **[2025]** 2026 and applies in respect of amounts incurred on or after that date.”. 35

(2) Subsection (1) is deemed to have come into operation on 12 December 2013.

Amendment of section 15 of Act 31 of 2013, as amended by section 145 of Act 25 of 2015, section 99 of Act 15 of 2016, section 94 of Act 17 of 2017, section 99 of Act 23 of 2018, section 83 of Act 34 of 2019, section 72 of Act 23 of 2020, section 61 of Act 20 of 2021, section 36 of Act 20 of 2022 and section 61 of Act 17 of 2023 40

59. (1) Section 15 of the Taxation Laws Amendment Act, 2013, is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Subsection (1) comes into operation on 1 January **[2025]** 2026 and applies in respect of amounts incurred on or after that date.”. 45

Ku antswisiwa ka xiyenge xa 1 xa Nawu wa 26 lembe ra 2013, tani hi loko xi antswisiwa hi xiyenge xa 112 xa Nawu wa 43 lembe ra 2014, xiyenge xa 93 Nawu wa 15 lembe ra 2016, xiyenge xa xa 101 Nawu wa 23 lembe ra 2018, xiyenge xa 78 Nawu wa 34 lembe ra 2019, xiyenge xa 2 Nawu wa 2020 na xiyenge xa 58 Nawu wa 20 lembe ra 2021

5

56. (1) Xiyenge xa 1 xa Nawu wa Ku Vuyeriwa hi Xibalo xa Matholelo, 2013, Hi lexi xi antswisiweke hi ku siviwa eka xiyengentsongo xa (1) eka nhlamuselo ya “muholo wa n’hwetl na n’hwetl” eka xiboho xa xiboho lexi xi landzelaka:

“: Ntsena loko eka ku veka muholo lowu wu hakeliwaka kumbe lowu wu hakelekaka, ntsengo ehandle ka ku hakela hi khexe [leyi yi kolotiwaka na ku hakeleka] eka mutholiwa endzaku ka [loko a teki vutihlamuleri] ku engetela endzaku timali leti ti kokiwaku hi ku ya hi xiyenge xa 34(1)(b) xa *Basic Conditions of Employment Act, 1997* (Nawu wa No. 75 lembe ra 1997), xi fanele xi nga tekeliwi enhlokweni;”.

10

(2) Xiyengentsongo xa (1) xi tekiwa tani hi loko xi sungule ku tirha hi ti 1 Nyenyankulu 2025 na kona xi tirhisiwwa mayelana na malembe ya ku kambelo lawa ya sungulaka hi siku rero kumbe endzhaku ka rona.

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Ku antswisiwa ka xiyenge xa 5 xa Nawu wa 26 lembe ra 2013, tani hi loko xi antswisiwile hi xiyenge xa 114 xa Nawu wa 43 lembe ra 2014

57. (1) Xiyenge xa 5 xa Nawu wa Ku Vuyeriwa hi Xibalo xa Matholelo, 2013, hi lexi xi antswisiweke—

20

(a) hi ku siviwa eka nhlokomhaka ya nhlokomhaka leyi yi landzelaka:

“**Ndziho na ku humisiwa [mayelana na ku ka a nga vekwi helo]**”; na

(b) hi ku engetela endzaku ka xiyengentsongo xa (2) xa xiyengentsongo lexi xi landzelaka:

25

“(3) loko mutholi a kuma xibalo xa muholo xa vutholi mayelana na ntsengo lowu wu faneleke wu nga tekeliwi enhlokweni mayelana na xiboho eka nhlokomhaka ya ‘muholo wa n’hwetl na n’hwetl’ eka xiyenge xa 1(1), leswaku mutholi ufanele a hakela ndiho eka Xiyenge xa Vukorhokeri bya Swibalo bya Afrika-Dzonga eka ntsengo lowu wu ringanaka na 100 wa tiphesete ta xibalo xa muholowa vutholi mayelanana na mutholiwa yaloye eka n’hwetl na n’hwetl leyi mutholi a kumaka xibalo xa muholo wa vutholi mayelana na ntsengo lowu a wu fanele wu nga tekeliwanga enhlokweni.”.

30

(2) Xiyengentsongo xa (1) xi tekiwa tani hi loko xi sungule ku tirha hi ti 1 Nyenyankulu 2025 na kona xi tirhisiwwa mayelana na malembe ya ku kambelo lawa ya sungulaka hi siku rero kumbe endzhaku ka rona.

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Wysiging van artikel 13 van Wet 31 van 2013, soos gewysig deur artikel 144 van Wet 25 van 2015, artikel 98 van Wet 15 van 2016, artikel 93 van Wet 17 van 2017, artikel 98 van Wet 23 van 2018, artikel 82 van Wet 34 van 2019, artikel 71 van Wet 23 van 2020, artikel 60 van Wet 20 van 2021, artikel 35 van Wet 20 van 2022 en artikel 60 van Wet 17 van 2023

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58. (1) Artikel 13 van die Wysigingswet op Belastingwette, 2013, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Subartikel (1) tree in werking op 1 Januarie [2025] 2026 en is van toepassing ten opsigte van bedrae aangegaan op of na daardie datum.”.

45

(2) Subartikel (1) word geag op 12 Desember 2013 in werking te getree het.

Wysiging van artikel 15 van Wet 31 van 2013, soos gewysig deur artikel 145 van Wet 25 van 2015, artikel 99 van Wet 15 van 2016, artikel 94 van Wet 17 van 2017, artikel 99 van Wet 23 van 2018, artikel 83 van Wet 34 van 2019, artikel 72 van Wet 23 van 2020, artikel 61 van Wet 20 van 2021, artikel 36 van Wet 20 van 2022 en artikel 61 van Wet 17 van 2023

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59. (1) Artikel 15 van die Wysigingswet op Belastingwette, 2013, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Subartikel (1) tree in werking op 1 Januarie [2025] 2026 en is van toepassing op bedrae op of na daardie datum aangegaan.”.

55

(2) Subsection (1) is deemed to have come into operation on 12 December 2013.

Amendment of section 62 of Act 31 of 2013, as amended by section 148 of Act 25 of 2015, section 100 of Act 15 of 2016, section 100 of Act 23 of 2018, section 84 of Act 34 of 2019, section 73 of Act 23 of 2020, section 62 of Act 20 of 2021, section 37 of Act 20 of 2022 and section 63 of Act 17 of 2023

5

60. (1) Section 62 of the Taxation Laws Amendment Act, 2013, is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Subsection (1) comes into operation on 1 January **[2025]** 2026 and applies in respect of amounts of interest incurred on or after that date.”.

(2) Subsection (1) is deemed to have come into operation on 12 December 2013. 10

Amendment of section 106 of Act 23 of 2018

61. Section 106 of the Taxation Laws Amendment Act, 2018, is hereby substituted for the following section:

“**106.** Section 18 of the Taxation Laws Amendment Act, 2015, is hereby amended by the substitution in subsection (1) for paragraph (a) of the following paragraph: 15

‘(a) by the substitution in paragraph (e) for the words preceding the proviso of the following words:

‘save as provided in paragraph 12(2) of the First Schedule, such sum as **[the Commissioner may think just and reasonable as representing]** 20 represents the amount by which the value of any machinery, plant, implements, utensils and articles (other than machinery, plant, implements, utensils and articles in respect of which a deduction may be granted under section 12B, 12BA, 12C, 12DA, 12E(1), 12U or 37B) 25 owned by the taxpayer or acquired by the taxpayer as purchaser in terms of an agreement contemplated in paragraph (a) of the definition of ‘instalment credit agreement’ in section 1 of the Value-Added Tax Act and used by the taxpayer for the purpose of his or her trade has been diminished by reason of wear and tear or depreciation during the year of assessment, which amount must be determined on the basis of the 30 periods of use listed for this purpose in a public notice issued by the Commissioner, or a shorter period of use approved by the Commissioner on application in the prescribed form and manner by the taxpayer;’.”.

Amendment of section 6 of Act 15 of 2019, as amended by section 93 of Act 34 of 2019, section 77 of Act 23 of 2020, section 63 of Act 20 of 2021 and section 39 of Act 20 of 2022 35

62. (1) Section 6 of the Carbon Tax Act, 2019, is hereby amended by the addition after subsection (4) of the following subsection:

“(5) For the purposes of this section, ‘renewable electricity purchased under a power purchase agreement’ includes renewable electricity purchased under an agreement ceded to the National Transmission Company of South Africa.” 40

(2) Subsection (1) is deemed to have come into operation on 1 January 2024.

Amendment of Schedule 1 to Act 15 of 2019, as amended by section 98 of Act 34 of 2019 and section 67 of Act 17 of 2023

63. (1) Schedule 1 to the Carbon Tax Act, 2019, is hereby amended— 45

(a) by the substitution for Table 1 of the following Table:

(2) Subartikel (1) word geag op 12 Desember 2013 in werking te getree het.

Wysiging van artikel 62 van Wet 31 van 2013, soos gewysig deur artikel 148 van Wet 25 van 2015, artikel 100 van Wet 15 van 2016, artikel 100 van Wet 23 van 2018, artikel 84 van Wet 34 van 2019, artikel 73 van Wet 23 van 2020, artikel 62 van Wet 20 van 2021, artikel 37 van Wet 20 van 2022 en artikel 63 van Wet 17 van 2023 5

60. (1) Artikel 62 van die Wysigingswet op Belastingwette, 2013, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Subartikel (1) tree in werking op 1 Januarie [2025] 2026 en is van toepassing ten opsigte van bedrae van rente aangegaan op of na daardie datum.”.

(2) Subartikel (1) word geag op 12 Desember 2013 in werking te getree het. 10

Wysiging van artikel 106 van Wet 23 van 2018

61. Artikel 106 van die Wysigingswet op Belastingwette, 2018, word hierby deur die volgende artikel vervang:

“**106.** Artikel 18 van die Wysigingswet op Belastingwette, 2015, word hierby gewysig deur in subartikel (1) paragraaf (a) deur die volgende paragraaf te 15 vervang:

“(a) deur in paragraaf (e) die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

‘behoudens die bepalings van paragraaf 12(2) van die Eerste Bylae, so ’n bedrag as wat [volgens die Kommissaris se oordeel billikerwys en 20 redelikerwys] die bedrag voorstel waarmee die waarde van masjinerie, installasie, gereedskap, werktuie en artikels (behalwe masjinerie, installasie, gereedskap, werktuie en artikels ten opsigte waarvan ’n aftrekking ingevolge artikel 12B, 12BA 12C, 12DA, 12E (1), 12U, 12U of 37B toegestaan mag word) waarvan die belastingpligtige die eienaar is 25 of wat deur die belastingpligtige verkry is as koper ingevolge ’n ooreenkoms in paragraaf (a) van die omskrywing van ‘paaient-kredietooreenkoms’ in artikel 1 van die Wet op Belasting op Toegevoegde Waarde bedoel en wat deur die belastingpligtige vir die doeleindes van sy of haar bedryf gebruik, verminder is ten gevolge van 30 slytasie of waardevermindering gedurende die jaar van aanslag, welke bedrag bepaal moet word op grond van die tydperke van gebruik vir hierdie doel gelys in ’n openbare kennisgewing uitgereik deur die Kommissaris of ’n korter tydperk van gebruik deur die Kommissaris goedgekeur by aansoek deur die belastingpligtige op die voorgeskrewe 35 vorm en wyse:’;”.

Wysiging van artikel 6 van Wet 15 van 2019, soos gewysig deur artikel 93 van Wet 34 van 2019, artikel 77 van Wet 23 van 2020, artikel 63 van Wet 20 van 2021 en artikel 39 van Wet 20 van 2022

62. (1) Artikel 6 van die Wet op Koolstofbelasting, 2019, word hierby gewysig deur 40 na subartikel (4) die volgende subartikel by te voeg:

“(5) By die toepassing van hierdie artikel beteken ‘hernubare energie gekoop ingevolge ’n kragkoop-ooreenkoms’ ook hernubare energie gekoop ingevolge ’n ooreenkoms aan die ‘National Transmission Company of South Africa’ gesedeer.”.

(2) Subartikel (1) word geag op 1 Januarie 2024 in werking te getree het. 45

Wysiging van Bylae 1 by Wet 15 van 2019, soos gewysig deur artikel 98 van Wet 34 van 2019 en artikel 67 van Wet 17 van 2023

63. (1) Bylae 1 by die Wet op Koolstofbelasting, 2019, word hierby gewysig—

(a) deur Tabel 1 deur die volgende Tabel te vervang:

“TABLE 1
FUEL COMBUSTION EMISSION FACTORS
STATIONARY SOURCE CATEGORY

FUEL TYPE	CO ₂ (KGCO ₂ /TJ)	CH ₄ (KGCH ₄ /TJ)	N ₂ O (KGN ₂ O/TJ)	DEFAULT NET CALORIFIC VALUE (TJ/TONNE)		
				NET CALORIFIC VALUE	LOWER LIMIT OF THE 95% CONFIDENCE INTERVAL	UPPER LIMIT OF THE 95% CONFIDENCE INTERVAL
ACETYLENE	67 870	N/A	N/A	0.049818	N/A	N/A
ANTHRACITE	98 300	1	1.5	0.0267	0.0216	0.0322
AVIATION GASOLINE	[70 000]65 752	3	0.6	[0.0443]0.0475	0.0425	[0.0448] 0.0475
BIODIESEL	0	3	0.6	0.027	0.0136	0.054
BIOGASOLINE	0	3	0.6	0.027	0.0136	0.054
BITUMEN	80 700	3	0.6	0.0402	0.0335	0.0412
BLAST FURNACE GAS	260 000	1	0.1	0.00247	0.0012	0.005
[DIESEL]	[74 100]	[3]	[0.6]	[0.043]	[0.0414]	[0.0433]
BROWN COAL BRIQUETTES	97 500	1	1.5	0.0207	0.0151	0.032
CHARCOAL	0	200	4	0.0295	0.0149	0.058
COAL TAR	80 700	1	1.5	0.028	0.0141	0.055
COKE OVEN COKE AND LIGNITE COKE	107 000	1	1.5	0.0282	0.0251	0.0302
COKE OVEN GAS	44 400	1	0.1	0.0387	0.0196	0.077
COKING COAL	94 600	1	1.5	0.0282	0.024	0.031
CRUDE OIL	73 300	3	0.6	0.0438	0.0401	0.0448
DIESEL	[74 100]74 638	3	0.6	[0.0381]0.043	[0]0.0414	[0]0.0433
ETHANE	61 600	1	0.1	0.0464	0.0449	0.0488
GAS COKE	107 000	1	0.1	0.0173	0.0251	0.0302
GAS WORKS GAS	44 400	1	0.1	0.0387	0.0196	0.077
INDUSTRIAL WASTES	143 000	30	4	N/A	N/A	N/A
JET GASOLINE	70 000	3	0.6	0.0443	0.0425	0.0448
JET KEROSENE	[71 500]73 463	3	0.6	[0.0441]0.0433	0.042	0.045
LANDFILL GAS	0	1	0.1	0.0504	0.0254	0.1
LIGNITE	101 000	1	1.5	0.0119	0.0055	0.0216
LIQUEFIED PETROLEUM GASES	[63 100]64 852	1	0.1	[0.0473]0.0463	0.0448	0.0522
LUBRICANTS	73 300	3	0.6	0.0402	0.0335	0.0423
METHANE RICH GAS (MRG)	54 888	1	0.1	0.048	0.0465	0.0504
MUNICIPAL WASTES (BIOMASS FRACTION)	0	30	4	0.0116	0.0068	0.018
MUNICIPAL WASTES (NON BIOMASS FRACTION)	91 700	30	4	0.01	0.007	0.018
NAPHTHA	73 700	3	0.6	0.0445	0.0418	0.0465
NATURAL GAS	56 100	1	0.1	0.048	0.0465	0.0504
NATURAL GAS LIQUIDS	64 200	3	0.6	0.041	0.0409	0.0469
OIL SHALE AND TAR SANDS	107 000	1	1.5	0.0089	0.0071	0.0111
ORIMULSION	77 000	3	0.6	0.0275	0.0275	0.0283
OTHER BIOGAS	0	1	0.1	0.0504	0.0254	0.1

“TABEL 1
BRANDSTOFVERBRANDING VRYSTELLINGSFAKTORE
STILSTAANDE BRONKATEGORIE

BRANDSTOF- SOORT	CO ₂ (KGCO ₂ /TJ)	CH ₄ (KGCH ₄ / TJ)	N ₂ O (KGN ₂ O/TJ)	STANDAARDVERBRANDINGSWAARDE (TJ/ TONNE)		
				STANDAARD- VERBRANDINGS- WAARDE	ONDERSTE PERK VAN DIE 95% VERTROUENS- INTERVAL	BOONSTE PERK VAN DIE 95% VERTROUENS- INTERVAL
ASETILEEN	67 870	NVT	NVT	0.049818	NVT	NVT
ANTRASJET	98 300	1	1.5	0.0267	0.0216	0.0322
LUGVAART- PETROL	[70 000]65 752	3	0.6	[0.0443]0.0475	[0.0425]NVT	[0.0448]0.0475
BIODIESEL	0	3	0.6	0.027	0.0136	0.054
BIOPETROL	0	3	0.6	0.027	0.0136	0.054
BITUMEN	80 700	3	0.6	0.0402	0.0335	0.0412
HOOGOONDGAS	260 000	1	0.1	0.00247	0.0012	0.005
[DIESEL]	[74 100]	[3]	[0.6]	[0.043]	[0.0414]	[0.0433]
BRUINKOOL- BRIKETTE	97 500	1	1.5	0.0207	0.0151	0.032
STEENKOOL	0	200	4	0.0295	0.0149	0.058
KOOLTEER	80 700	1	1.5	0.028	0.0141	0.055
KOOKOOND KOOKS EN LIG- NIETKOOKS	107 000	1	1.5	0.0282	0.0251	0.0302
KOOKOONDGAS	44 400	1	0.1	0.0387	0.0196	0.077
KOOKSSTEEN- KOOL	94 600	1	1.5	0.0282	0.024	0.031
RUOLIE	73 300	3	0.6	0.0438	0.0401	0.0448
DIESEL	[74 100]74 638	3	0.6	[0.0381]0.043	[0]0.0414	[0]0.0433
ETAAN	61 600	1	0.1	0.0464	0.0449	0.0488
GASKOOKS	107 000	1	0.1	0.0173	0.0251	0.0302
GASFABRIEK GAS	44 400	1	0.1	0.0387	0.0196	0.077
FABRIEKSAFVAL	143 000	30	4	NVT	NVT	NVT
STRAALVLIEG- TUIGPETROL	70 000	3	0.6	0.0443	0.0425	0.0448
STRAAL- VLIEGTUIG- KEROSEEN	[71 500]73 463	3	0.6	[0.0441]0.0433	0.042	0.045
GRONDOPVUL- LINGSGAS	0	1	0.1	0.0504	0.0254	0.1
LIGNIET	101 000	1	1.5	0.0119	0.0055	0.0216
VLOEIBARE PETROLEUM GASSE	[63 100]64 852	1	0.1	[0.0473]0.0463	0.0448	0.0522
SMEEROLIE	73 300	3	0.6	0.0402	0.0335	0.0423
METAANRYKE GAS (MRG)	54 888	1	0.1	0.048	0.0465	0.0504
MUNISIPALE AFVAL (BIO- MASSABREUK- DEEL)	0	30	4	0.0116	0.0068	0.018
MUNISIPALE AFVAL (NIEBIOMASSA- BREUKDEEL)	91 700	30	4	0.01	0.007	0.018
NAFTA	73 700	3	0.6	0.0445	0.0418	0.0465
AARDGAS	56 100	1	0.1	0.048	0.0465	0.0504
AARDGASVLOEI- STOWWE	64 200	3	0.6	0.041	0.0409	0.0469
OLIESKALIE EN TEERSAND	107 000	1	1.5	0.0089	0.0071	0.0111
ORIMULSION	77 000	3	0.6	0.0275	0.0275	0.0283
ANDER BIOGAS	0	1	0.1	0.0504	0.0254	0.1

FUEL TYPE	CO ₂ (KGCO ₂ /TJ)	CH ₄ (KGCH ₄ /TJ)	N ₂ O (KGN ₂ O/TJ)	DEFAULT NET CALORIFIC VALUE (TJ/TONNE)		
				NET CALORIFIC VALUE	LOWER LIMIT OF THE 95% CONFIDENCE INTERVAL	UPPER LIMIT OF THE 95% CONFIDENCE INTERVAL
OTHER BITUMINOUS COAL	94 600	1	1.5	[0.0243]0.0192	[0.0199]0.0192	0.0305
OTHER KEROSENE	71 900	3	0.6	0.037	0	0
OTHER LIQUID BIOFUELS	0	3	0.6	0.0274	0.0138	0.054
OTHER PETROLEUM PRODUCTS	73 300	3	0.6	0.0402	0.0337	0.0482
OTHER PRIMARY SOLID BIOMASS	0	30	4	0.0116	0.0059	0.023
OXYGEN STEEL FURNACE GAS	182 000	1	0.1	0.00706	0.0038	0.015
PARAFFIN	[71 900]64 640	3	0.6	[0.0438]0.049	0.0424	[0.0452]0.049
PARAFFIN WAXES	73 300	3	0.6	0.0402	0.0337	0.0482
PATENT FUEL	97 500	1	1.5	0.0207	0.0151	0.032
PEAT	0	1	1.5	0.00976	0.0078	0.0125
PETROL	[69 300]72 430	3	0.6	[0.0443]0.0439	0.0425	0.0448
PETROLEUM COKE	97 500	3	0.6	0.0325	0.0297	0.0419
REFINERY FEED-STOCK	73 300	3	0.6	0.043	0.0363	0.0464
REFINERY GAS	57 600	1	0.1	0.0495	0.0475	0.0506
REFUSE DERIVED FUEL	83 000	30	4	0.01	0.007	0.018
RESIDUAL FUEL OIL (HEAVY FUEL OIL)	[77 400]73 090	3	0.6	[0.0404]0.043	0.0398	0.0443
SAWDUST	0	30	4	0.0116	0.0059	0.023
SHALE OIL	73 300	3	0.6	0.0381	0.0321	0.0452
SLUDGE GAS	0	1	0.1	0.0504	0.0254	0.1
SUB-BITUMINOUS COAL	96 100	1	1.5	0.0192	0.0115	0.026
SULPHITE LYES (BLACK LIQUOR)	0	3	2	0.0118	0.0059	0.023
WASTE OILS	73 300	30	4	0.0402	0.0203	0.08
WASTE TYRES	85 000	1	1.5	0.0325	N/A	N/A
WHITE SPIRIT AND SBP	73 300	3	0.6	0.0402	0.0337	0.0482
WOOD/WOOD WASTE	0	30	4	0.0156	0.0079	0.031

				STANDAARDVERBRANDINGSWAARDE (TJ/TONNE)		
BRANDSTOF-SOORT	CO ₂ (KGCO ₂ /TJ)	CH ₄ (KGCH ₄ /TJ)	N ₂ O (KGN ₂ O/TJ)	STANDAARD-VERBRANDINGS-WAARDE	ONDERSTE PERK VAN DIE 95% VERTROUENS-INTERVAL	BOONSTE PERK VAN DIE 95% VERTROUENS-INTERVAL
ANDER BITUMINEUSE STEENKOOL	94 600	1	1.5	0.0243]0.0192	[0.0199]0.0192	0.0305
ANDER KERO-SIEN	71 900	3	0.6	0.037	0	0
ANDER VLOEI-BARE BIO-BRANDSTOWWE	0	3	0.6	0.0274	0.0138	0.054
ANDER PETROLEUM-PRODUKTE	73 300	3	0.6	0.0402	0.0337	0.0482
ANDER PRIMERE VASTE BIOMASSA	0	30	4	0.0116	0.0059	0.023
SUURSTOFSTAAL-SMELTOOND-GAS	182 000	1	0.1	0.00706	0.0038	0.015
PARAFFIEN	[71 900]64 640	3	0.6	[0.0438]0.049	[0.0424]NVT	[0.0452]NVT
PARAFFIENWAS	73 300	3	0.6	0.0402	0.0337	0.0482
PATENTBRAND-STOF	97 500	1	1.5	0.0207	0.0151	0.032
VEEN	0	1	1.5	0.00976	0.0078	0.0125
PETROL	[69 300]72 430	3	0.6	[0.0443]0.0439	0.0425	0.0448
PETROLEUM-KOOKS	97 500	3	0.6	0.0325	0.0297	0.0419
RAFFINADERY-VOERSTOF	73 300	3	0.6	0.043	0.0363	0.0464
RAFFINADERY-GAS	57 600	1	0.1	0.0495	0.0475	0.0506
BRANDSTOF VERKRY UIT VULLIS	83 000	30	4	0.01	0.007	0.018
RESIDU BRAND-STOFOLIE (SWAAR BRAND-STOFOLIE)	[77 400]73 090	3	0.6	[0.0404]0.043	0.0398	[0.0417]0.443
SAAGSELS	0	30	4	0.0116	0.0059	0.023
SKALIE-OLIE	73 300	3	0.6	0.0381	0.0321	0.0452
SLYKGAS	0	1	0.1	0.0504	0.0254	0.1
SUB-BITUMINEUSE STEENKOOL	96 100	1	1.5	0.0192	0.0115	0.026
SULFIETLOOG ("SWART LOOG")	0	3	2	0.0118	0.0059	0.023
AFVALOLIE	73 300	30	4	0.0402	0.0203	0.08
AFVALBANDE	85 000	1	1.5	0.0325	NVT	NVT
WIT SPIRITUS EN "SBP"	73 300	3	0.6	0.0402	0.0337	0.0482
HOUT/HOUTAFVAL	0	30	4	0.0156	0.0079	0.031

NON-STATIONARY/MOBILE SOURCE CATEGORY ACTIVITY

FUEL TYPE	CO ₂ (KGCO ₂ /TJ)	CH ₄ (KGCH ₄ /TJ)	N ₂ O (KGN ₂ O/TJ)	DEFAULT NET CALORIFIC VALUE (TJ/TONNE)		
				NET CALORIFIC VALUE	LOWER LIMIT OF THE 95% CONFIDENCE INTERVAL	UPPER LIMIT OF THE 95% CONFIDENCE INTERVAL
AVIATION GASOLINE	[70 000]65 752	[3]0.5	[0.6]2	[0.0443]0.0475	0.0425	[0.0448]0.0475
BIODIESEL	0	4.15	28.6	0.027	N/A	N/A
BIOGASOLINE	0	3.5	5.7	0.027	N/A	N/A
COMPRESSED NATURAL GAS	56 100	92	3	N/A	N/A	N/A
DIESEL	[74 100]74 638	4.15	28.6	[0.0381]0.0430	0	0
DIESEL — (OCEAN-GOING SHIPS)	74 100	7	2	0.0381	0	0
DIESEL — OFFROAD	74 100	3.9	3.9	0.0381	N/A	N/A
DIESEL — RAIL	74 100	[4.5]4.15	28.6	0.0381	0	0
JET KEROSENE	[71 500]73 463	0.5	2	[0.0441]0.0433	0.042	0.045
KEROSENE	71 500	3	0.6	0.037	0	0
LIQUIFIED NATURAL GASES	56 100	92	3	N/A	N/A	N/A
LIQUEFIED PETROLEUM GASES	[63 100]64 852	62	0.2	[0.0473]0.0463	0.0448	0.0522
LUBRICANTS	73 300	3	0.6	0.0402	0.0335	0.0423
METHANE RICH GAS (MRG)	54 888	92	3	0.048	0.0465	0.0504
NATURAL GAS	56 100	92	3	0.048	0.0465	0.0504
(PARAFFIN) OTHER KEROSENE	[71 900]64 640	3	0.6	[0.0438]0.0490	0.0424	[0.0452]0.0490
OTHER PETROLEUM PRODUCTS	73 300	3	0.6	0.0402	0.0337	0.0482
PARAFFIN WAXES	73 300	3	0.6	0.0402	0.0337	0.0482
PETROL	[69 300]72 430	3.5	5.7	[0.0443]0.0439	0.0425	0.0448
PETROL-OXIDATION CATALYST	69 300	25	8	0.0443	N/A	N/A
PETROL-UNCONTROLLED	69 300	33	3.2	0.0443	N/A	N/A
REFINERY GAS	57 600	1	0.1	0.0495	0.0475	0.0506
REFUSE DERIVED FUEL	83 000	N/A	N/A	N/A	N/A	N/A
RESIDUAL FUEL OIL— (HEAVY FUEL OIL)	[77 400]73 090	7	2	[0.0404]0.0473	0.0398	[0.0417]0.0473
SAWDUST	0	N/A	N/A	N/A	N/A	N/A
SUB-BITUMINOUS COAL	96 100	2	1.5	0.0192	0.0115	0.026
WASTE TYRES	85 000	N/A	N/A	N/A	N/A	N/A
WHITE SPIRIT AND SBP	73 300	3	0.6	0.0402	0.0337	0.0482

NIE-STILSTAANDE / BEWEEGLIKE BRONKATEGORIE-AKTIWITEIT

BRANDSTOF-SOORT	CO ₂ (KGCO ₂ /TJ)	CH ₄ (KGCH ₄ /TJ)	N ₂ O (KGN ₂ O/TJ)	STANDAARD VERBRANDINGSWAARDE (TJ/TON)		
				STANDAARD VERBRANDINGS-WAARDE	ONDERSTE PERK VAN DIE 95% VERTROUENS-INTERVAL	BOONSTE PERK VAN DIE 95% VERTROUENS-INTERVAL
LUGVAARTPE-TROL	[70 000]65 752	[3]0.5	[0.6]2	[0.0443]0.0475	0.0425	[0.0448]0.0475
BIODIESEL	0	4.15	28.6	0.027	NVT	NVT
BIOPETROL	0	3.5	5.7	0.027	NVT	NVT
GEPERSTE AARDGAS	56 100	92	3	NVT	NVT	NVT
DIESEL	[74 100]74 638	4.15	28.6	[0.0381]0.0430	0	0
DIESELM(SEE-VARENDE SKEPE)	74 100	7	2	0.0381	0	0
DIESEL M VELD	74 100	3.9	3.9	0.0381	NVT	NVT
DIESEL M SPOOR	74 100	[4.5]4.15	28.6	0.0381	0	0
STRAAL-VLIEGTUIG-KEROSEEN	[71 500]73 463	0.5	2	[0.0441]0.0433	0.042	0.045
KEROSEEN	71 500	3	0.6	0.037	0	0
AARDGAS-VLOEISTOWWE	56 100	92	3	NVT	NVT	NVT
VLOEIBARE PETROLEUM-GASSE	[63 100]64 852	62	0.2	[0.0473]0.0463	0.0448	[0.0522]NVT
SMEEROLIE	73 300	3	0.6	0.0402	0.0335	0.0423
METAANRYKE GAS (MRG)	54 888	92	3	0.048	0.0465	0.0504
AARDGAS	56 100	92	3	0.048	0.0465	0.0504
(PARAFFIEN) ANDER KEROSEEN	[71 900]64 640	3	0.6	[0.0438]0.0490	0.0424	[0.0452]0.0490
ANDER PETROLEUMPRODUKTE	73 300	3	0.6	0.0402	0.0337	0.0482
PARAFFIENWAS	73 300	3	0.6	0.0402	0.0337	0.0482
PETROL	[69 300]72 430	3.5	5.7	[0.0443]0.0439	0.0425	0.0448
PETROL-OXIDASIE KATALISATOR	69 300	25	8	0.0443	NVT	NVT
PETROL—ONBEHEER	69 300	33	3.2	0.0443	NVT	NVT
RAFFINADERY GAS	57 600	1	0.1	0.0495	0.0475	0.0506
BRANDSTOF VERKRY UIT VULLIS	83 000	NVT	NVT	NVT	NVT	NVT
RESIDU BRANDSTOF-OLIE (SWAAR BRANDSTOFOLIE)	[77 400]73 090	7	2	[0.0404]0.0473	0.0398	[0.0417]0.043
SAAGSELS	0	NVT	NVT	NVT	NVT	NVT
SUB-BITUMINEUSE STEENKOOL	96 100	2	1.5	0.0192	0.0115	0.026
AFVALBANDE	85 000	NVT	NVT	NVT	NVT	NVT
WIT SPIRITUS EN “SBP”	73 300	3	0.6	0.0402	0.0337	0.0482

(b) by the substitution for Table 2 of the following Table:

“Table 2
FUGITIVE EMISSION FACTORS

<i>IPCC Code</i>	<i>SOURCE CATEGORY ACTIVITY</i>	<i>Fugitive</i>	<i>Emission</i>	<i>Factors</i>
		CO ₂	CH ₄	N ₂ O
1B1	SOLID FUELS (M3/TONNE)			
1B1a	COAL MINING AND HANDLING			
1B1ai	UNDERGROUND COAL MINING	[0.000077] 0.077	[0.00077] 0.77	
	UNDERGROUND POST-MINING (HANDLING & TRANSPORT)	[0.000018] 0.018	[0.00018] 0.18	
1B1aaii	SURFACE COAL MINING	N/A	0	
	SURFACE POST-MINING (STORAGE AND TRANSPORT)	N/A	0	
1B1C	SOLID FUEL TRANSFORMATION			
1B1ci	COKE PRODUCTION (per coke produced) (tonne GHG/tonne coke)	ND	4.9*10 ⁻⁸	ND
1B1c2	CHARCOAL PRODUCTION (FUEL WOOD INPUT) (kgCH ₄ /TJ)	N/A	[0.300] 300	
	CHARCOAL PRODUCTION (CHARCOAL PRODUCED) (kgCH ₄ /TJ)	N/A	[1.000] 1000	
1B1cii	CHARCOAL PRODUCTION (PER CHARCOAL PRODUCED) (TONNE GHG/TONNE CHARCOAL)	0	0.0000403	8*10 ⁻⁸
1B1Ciii	BIOCHAR PRODUCTION (PER BIOCHAR PRODUCED) (TONNE GHG/TONNE BIOCHAR)	0	0.00003	ND
1B1civ	COAL TO LIQUIDS (tonne GHG/TJ total output)			
1B1civ	COAL TO LIQUIDS – SYNGAS	55	0.0061	0
1B1civ	COAL TO LIQUIDS – SYNGAS/H ₂	55	0.0061	0
1B1civ	COAL TO LIQUIDS – SNG (SYNTHETIC NATURAL GAS)	78	0.0061	0
1B1civ	GAS TO LIQUIDS (TONNE GHG/TJ NATURAL GAS INPUT)	12.73	ND	ND
1B2	OIL AND NATURAL GAS (Gg/10³M³ TOTAL OIL PRODUCTION)			
	OIL TRANSPORT (TONNE/10³M³ OIL LOADED ONTO TANKER SHIPS)			
1B2ai	LOADING OFFSHORE PRODUCTION ON TANKER SHIPS – WITHOUT VRU – ALL	ND	0.065	ND
1B2ai	LOADING OFFSHORE PRODUCTION ON TANKER SHIPS – WITH VRU – ALL	ND	0.040	ND
1B2a	OIL REFINING (TONNE/10 ³ M ³ OIL REFINED)			
1B2aiii4	ALL (THE FACTORS INCLUDE FUGITIVE EQUIPMENT LEAKS, FLARING, STORAGE OF CRUDE OIL, HANDLING AND CALCINATION)	5.85	2.6*10 ⁻⁶ to 4.1*10 ⁻⁵	8.77*10 ⁻⁵
1B2b	NATURAL GAS (Gg/10 ³ M ³ TOTAL OIL PRODUCTION)			
1B2b	FLARING AND VENTING			
1.B.2.b.ii	WELL DRILLING	0.0000001	0.000000033	ND
1.B.2.b.ii	WELL TESTING	0.000009	0.000000051	0.00000000068
1.B.2.b.ii	WELL SERVICING	0.0000000019	0.00000011	ND
1B2b	GAS PRODUCTION (Gg/10⁶M³ TOTAL OIL PRODUCTION)			
1.B.2.b.iii.2	FUGITIVES	1.40E ⁻⁰⁵ to 8.20E ⁻⁰⁵	3.80E ⁻⁰⁴ to 2.30E ⁻⁰³	N/A
1.B.2.b.ii	FLARING	0.0012	0.00000076	0.000000021
	GAS PROCESSING (Gg/ 10⁶M³ RAW GAS FEED)			
1.B.2.b.iii.3	SWEET GAS PLANTS—FUGITIVES	1.50E ⁻⁰⁴ to 3.20E ⁻⁰⁴	4.80E ⁻⁰⁴ to 1.03E ⁻⁰³	N/A
1.B.2.b.ii	SWEET GAS PLANTS—FLARING	0.0018	0.0000012	0.000000025
1.B.2.b.iii.3	SOUR GAS PLANTS—FUGITIVES	0.0000079	0.000097	N/A
1.B.2.b.ii	SOUR GAS PLANTS—FLARING	0.0036	0.0000024	0.000000054
1.B.2.b.i	SOUR GAS PLANTS —RAW CO ₂ VENTING	0.063	N/A	N/A
1.B.2.b.iii.3	DEEP CUT EXTRACTION—FUGITIVES	0.0000016	0.000011	N/A
1.B.2.b.ii	DEEP CUT EXTRACTION—FLARING	0.00011	0.000000072	0.000000012
1.B.2.b.iii.3	DEFAULT—FUGITIVES	1.20E ⁻⁰⁵ to 3.20E ⁻⁰⁴	1.50E ⁻⁰⁴ to 1.03E ⁻⁰³	N/A

(b) deur Tabel 2 deur die volgende Tabel te vervang:

“Tabel 2

VLUGTIGE VRYSTELLINGSFAKTORE

IPCC-kode	BRONKATEGORIE FAKTORE	Vlugtige	Vrystelling	Faktore
		CO_2	CH_4	N_2O
1B1	VASTE BRANDSTOF (M3 / TON)			
1B1a	STEENKOOLMYNBOU EN HANTERING			
1B1ai	ONDERGRONDSE STEENKOOLMYNBOU	[0.000077] 0.077	[0.00077] 0.77	
	ONDERGRONDSE NA-MYNBOU (HANTERING & VERVOER)	[0.000018] 0.018	[0.00018] 0.18	
1B1aai	BOGRONDSE STEENKOOLMYNBOU	NVT	0	
	BOGRONDSE NA-MYNBOU (BERGING EN VERVOER)	NVT	0	
1B1C	VASTE BRANDSTOFTRANSFORMASIE			
1B1ci	KOOKSPRODUKSIE (per kooks geproduseer) (ton GHG/ton kooks)	ND	4.9×10^{-8}	ND
1B1c2	Houtskoolproduksie (Brandstof -hout toevoer) (kgCH ₄ /TJ)	NVT	[0.300] 300	
	Houtskoolproduksie (Houtskool geproduseer) (kgCH ₄ /TJ)	NVT	[1.000] 1000	
1B1cii	Houtskoolproduksie (Brandstof -hout toevoer) (kgCH ₄ /TJ)	0	0.0000403	8×10^{-8}
1B1Ciii	“BIOCHAR”-produksie (per “BIOCHAR” geproduseer) ton GHG / ton “BIOCHAR”	0	0.00003	ND
1B1civ	Steenkool tot vloeistowwe (ton GHG / TJ totale lewering)			
1B1civ	Steenkool tot vloeistowwe – sin-gas	55	0.0061	0
1B1civ	Steenkool tot vloeistowwe – sin-gas / H ₂	55	0.0061	0
1B1civ	Steenkool tot vloeistowwe – SNG (sintetiese aardgas)	78	0.0061	0
1B1civ	Gas tot vloeistowweM(ton GHG / TJ aardgas inset)	12.73	ND	ND
1B2	OLIE EN AARDGAS (Gg/ 10³M³ TOTALE OLIE-PRODUKSIE)			
	Olievervoer (ton / 10³M³ olie gelaai op oliebote)			
1B2ai	Laai van aflandige produksie op oliebote – sonder VRU – Alles	ND	0.065	ND
1B2ai	Laai van aflandige produksie op oliebote – met VRU – Alles	ND	0.040	ND
1B2a	Olieraffinerie (ton / 10 ³ M ³ olie geraffineer)			
1B2aiii4	Alles (die faktore sluit in vlugtige toerustinglekke, opvlamming, stoor van ru-olie, hantering en kalsinasie)	5.85	2.6×10^{-6} tot 4.1×10^{-5}	8.77×10^{-5}
1B2b	AARDGAS (Gg/10³M³ TOTALE OLIEPRODUKSIE)			
1B2b	OPVLAMMING EN ONTLUGTING			
1.B.2.b.ii	PUTBOOR	0.0000001	0.000000033	ND
1.B.2.b.ii	PUTTOETS	0.000009	0.000000051	0.000000000068
1.B.2.b.ii	PUTDIENS	0.0000000019	0.00000011	ND
1B2b	GASPRODUKSIE (Gg/ 10⁶M³ TOTALE OLIEPRODUKSIE)			
1.B.2.b.iii.2	VLUGTIGES	$1.40E^{-05}$ tot $8.20E^{-05}$	$3.80E^{-04}$ tot $2.30E^{-03}$	NVT
1.B.2.b.ii	OPVLAMMING	0.0012	0.00000076	0.000000021
	GASVERWERKING (Gg/ 10⁶M³ ROU GASTOEVOER)			
1.B.2.b.iii.3	SOETGASAANLEG – VLUGTIGES	$1.50E^{-04}$ tot $3.20E^{-04}$	$4.80E^{-04}$ tot $1.03E^{-03}$	NVT
1.B.2.b.ii	SOETGASAANLEG – OPVLAMMING	0.0018	0.0000012	0.000000025
1.B.2.b.iii.3	SUURGASAANLEG – VLUGTIGES	0.0000079	0.000097	NVT
1.B.2.b.ii	SUURGASAANLEG – OPVLAMMING	0.0036	0.0000024	0.000000054
1.B.2.b.i	SUURGASAANLEG – RU-CO ₂ -ONTLUGTING	0.063	NVT	NVT
1.B.2.b.iii.3	DIEPGROEFONTGINNING – VLUGTIGES	0.0000016	0.000011	NVT
1.B.2.b.ii	DIEPGROEFONTGINNING – OPVLAMMING	0.00011	0.000000072	0.000000012
1.B.2.b.iii.3	STANDAARD – VLUGTIGES	$1.20E^{-05}$ tot $3.20E^{-04}$	$1.50E^{-04}$ tot $1.03E^{-03}$	NVT

IPCC Code	SOURCE CATEGORY ACTIVITY	Fugitive	Emission	Factors
		CO ₂	CH ₄	N ₂ O
1.B.2.b.ii	DEFAULT—FLARING	0.003	0.000002	0.000000033
1.B.2.b.i	DEFAULT—RAW CO ₂ VENTING	0.04	N/A	N/A
1B2b	GAS TRANSMISSION & STORAGE (Gg-CO₂/year/km)			
1.B.2.b.iii.4	TRANSMISSION—FUGITIVES	[0.000000016] 0.000016	[0.0000025] 0.0025	N/A
1.B.2.b.i	TRANSMISSION—VENTING	[0.0000000085] 0.0000085	[0.0000010] 0.0010	N/A
1.B.2.b.iii.4	STORAGE (Gg-CO ₂ /year/M ³)		[2.32E ⁻¹²] 2.32E-9	ND
1B2b	GAS DISTRIBUTION (Gg/ 10⁶M³ OF UTILITY SALES)			
1.B.2.b.iii.5	ALL	0.000051	0.0011	ND
1B2b	NATURAL GAS LIQUIDS TRANSPORT (Gg/ 10³M³ CONDENSATE AND PENTANES PLUS)			
1.B.2.a.iii.3	CONDENSATE	0.0000000072	0.00000011	
1.B.2.a.iii.3	LIQUEFIED PETROLEUM GAS (Gg/10 ³ M ³ LPG)	0.00000043	N/A	2.2 0E ⁻¹²
1.B.2.a.iii.3	LIQUEFIED NATURAL GAS (Gg/ 10 ⁶ M ³ MARKETABLE GAS)	ND	ND	ND
1B2a	OIL			
1B2a	OIL PRODUCTION (Gg/ 10³M³ CONVENTIONAL OIL PRODUCTION)			
1.B.2.a.iii.2	CONVENTIONAL OIL—FUGITIVES (ONSHORE)	1.10E ⁻¹⁰ to 2.60E ⁻⁰⁷	1.50E ⁻⁰⁹ to 3.60E ⁻⁰⁶	N/A
1.B.2.a.iii.2	CONVENTIONAL OIL—FUGITIVES (OFFSHORE)	0.00000000043	0.00000000059	N/A
1.B.2.a.i	CONVENTIONAL OIL—VENTING	0.000000095	0.00000072	N/A
1.B.2.a.ii	CONVENTIONAL OIL—FLARING	0.000041	0.00000025	0.00000000064
1B2a	OIL PRODUCTION (Gg/10³M³ HEAVY OIL PRODUCTION)			
1.B.2.a.iii.2	HEAVY OIL/COLD BITUMEN—FUGITIVES	0.00000054	0.0000079	N/A
1.B.2.a.i	HEAVY OIL/COLD BITUMEN—VENTING	0.0000053	0.000017	N/A
1.B.2.a.ii	HEAVY OIL/COLD BITUMEN—FLARING	0.000022	0.00000014	0.00000000046
1B2a	OIL PRODUCTION (Gg/10³M³ THERMAL BITUMEN PRODUCTION)			
1.B.2.a.iii.2	THERMAL OIL PRODUCTION—FUGITIVES	0.000000029	0.00000018	N/A
1.B.2.a.i	THERMAL OIL PRODUCTION—VENTING	0.00000022	0.0000035	N/A
1.B.2.a.ii	THERMAL OIL PRODUCTION—FLARING	0.000027	0.000000016	0.00000000024
1B2a	OIL PRODUCTION (Gg/ 10³M³ SYNTHETIC CRUDE PRODUCTION FROM OILSANDS)			
1.B.2.a.iii.2	SYNTHETIC CRUDE (FROM OILSANDS)	ND	0.0000023	ND
1.B.2.a.iii.2	SYNTHETIC CRUDE (OIL SHALE)	ND	ND	ND
1B2a	OIL PRODUCTION (Gg/10³M³ TOTAL OIL PRODUCTION)			
1.B.2.a.iii.2	DEFAULT TOTAL—FUGITIVES	0.00000028	0.0000022	N/A
1.B.2.a.i	DEFAULT TOTAL—VENTING	0.0000018	0.0000087	N/A
1.B.2.a.ii	DEFAULT TOTAL—FLARING	0.000034	0.000000021	0.00000000054
1B2a	OIL UPGRADING (Gg/ 10³M³ OIL UPGRADED)			
1.B.2.a.iii.2	ALL	ND	ND	ND
1B2a	OIL TRANSPORT (Gg/ 10³M³ OIL TRANSPORTED BY PIPELINE)			
1.B.2.a.iii.3	PIPELINES	0.00000000049	0.00000000054	N/A
1B2a	OIL TRANSPORT (Gg/ 10³M³ OIL TRANSPORTED BY TANKER TRUCK)			
1.B.2.a.i	TANKER TRUCKS AND RAIL CARS—VENTING	0.00000000023	0.000000025	N/A
	OIL TRANSPORT (Gg/ 10³M³ OIL TRANSPORTED BY TANKER SHIPS)			
1.B.2.a.i	LOADING OFF-SHORE PRODUCTION ON TANKER SHIPS—VENTING	ND	ND	ND
1B2a	OIL REFINING (Gg/10³M³ OIL REFINED)			
1.B.2.a.iii.4	ALL		2.60E ⁻⁰⁹ to 4.10E ⁻⁰⁸	ND

IPCC-kode	BRONKATEGORIE FAKTORE	Vlugtige	Vrystelling	Faktore
		CO ₂	CH ₄	N ₂ O
1.B.2.b.ii	STANDAARD – OPVLAMMING	0.003	0.000002	0.000000033
1.B.2.b.i	STANDAARD – RU CO ₂ – ONTVLUGTING	0.04	NVT	NVT
1B2b	GASLEIDING & -BERGING (Gg- CO ₂ /jaar/km)			
1.B.2.b.iii.4	LEIDING – VLUGTIGES	[0.000000016] 0.000016	[0.0000025] 0.0025	NVT
1.B.2.b.i	LEIDING – ONTVLUGTING	[0.0000000085] 0.0000085	[0.0000010] 0.0010	NVT
1.B.2.b.iii.4	BERGING (Gg-CO ₂ /jaar/M ³)		[2.32E-12] 2.32E-9	ND
1B2b	GASVERSPREIDING (Gg/ 10 ⁶ M ³ VAN NUTSVERKOPE)			
1.B.2.b.iii.5	ALLES	0.000051	0.0011	ND
1B2b	AARDGASVLOEISTOF-VERVOER (Gg/ 10 ³ M ³ KONDENSAAT EN PENTAAN PLUS)			
1.B.2.a.iii.3	KONDENSAAT	0.000000072	0.00000011	
1.B.2.a.iii.3	VLOEIBARE PETROLEUMGAS (Gg/ 10 ³ M ³ LPG)	0.00000043	NVT	2.2 0E ⁻¹²
1.B.2.a.iii.3	VLOEIBARE AARDGAS (Gg/ 10 ⁶ M ³ BEMARKBARE GAS)	ND	ND	ND
1B2a	OLIE			
1B2a	OLIEPRODUKSIE (Gg/ 10 ³ M ³ KONVENSIONELE OLIEPRODUKSIE)			
1.B.2.a.iii.2	KONVENSIONELE OLIE – VLUGTIGES (AANLAN- DIG)	1.10E ⁻¹⁰ tot 2.60E ⁻⁰⁷	1.50E ⁻⁰⁹ tot 3.60E ⁻⁰⁶	NVT
1.B.2.a.iii.2	KONVENSIONELE OLIE – VLUGTIGES (AFLAN- DIG)	0.00000000043	0.00000000059	NVT
1.B.2.a.i	KONVENSIONELE OLIE – ONTVLUGTING	0.000000095	0.00000072	NVT
1.B.2.a.ii	KONVENSIONELE OLIE – OPVLAMMING	0.000041	0.000000025	0.00000000064
1B2a	OLIEPRODUKSIE (Gg/ 10 ³ M ³ SWAAR OLIEPRODUKSIE)			
1.B.2.a.iii.2	SWAAR OLIE/KOUE BITUMEN – VLUGTIGES	0.00000054	0.0000079	NVT
1.B.2.a.i	SWAAR OLIE/KOUE BITUMEN – ONTVLUGTING	0.0000053	0.000017	NVT
1.B.2.a.ii	SWAAR OLIE/KOUE BITUMEN – OPVLAMMING	0.000022	0.00000014	0.00000000046
1B2a	OLIEPRODUKSIE (Gg/ 10 ³ M ³ TERMIESE BITU- MENPRODUKSIE)			
1.B.2.a.iii.2	TERMIESE OLIEPRODUKSIE – VLUGTIGES	0.000000029	0.00000018	NVT
1.B.2.a.i	TERMIESE OLIEPRODUKSIE – ONTVLUGTING	0.00000022	0.0000035	NVT
1.B.2.a.ii	TERMIESE OLIEPRODUKSIE – OPVLAMMING	0.000027	0.000000016	0.00000000024
1B2a	OLIEPRODUKSIE (Gg/ 10 ³ M ³ SINTETIESE RU- OLIEPRODUKSIE VAN OLIESANDSTEEN)			
1.B.2.a.iii.2	SINTETIESE RUOLIE (VAN OLIESANDSTEEN)	ND	0.0000023	ND
1.B.2.a.iii.2	SINTETIESE RUOLIE (OLIESKALIE)	ND	ND	ND
1B2a	OLIEPRODUKSIE (Gg/ 10 ³ M ³ TOTALE OLIEPRO- DUKSIE)			
1.B.2.a.iii.2	STANDAARD TOTAAL – VLUGTIGES	0.00000028	0.0000022	NVT
1.B.2.a.i	STANDAARD TOTAAL – ONTVLUGTING	0.0000018	0.0000087	NVT
1.B.2.a.ii	STANDAARD TOTAAL – OPVLAMMING	0.000034	0.000000021	0.00000000054
1B2a	OLIE OPGRADERING (Gg/ 10 ³ M ³ OLIE OPGE- GRADEER)			
1.B.2.a.iii.2	ALLES	ND	ND	ND
1B2a	OLIEVERVOER (Gg/ 10 ³ M ³ OLIE VERVOER DEUR PYPLEIDING)			
1.B.2.a.iii.3	PYPLEIDINGS	0.00000000049	0.0000000054	NVT
1B2a	OLIEVERVOER (g/ 10 ³ M ³ OLIE VERVOER DEUR TENKWA)			
1.B.2.a.i	TENKWAENS EN SPOORWAENS – ONTVLUGTING	0.0000000023	0.000000025	NVT
	OLIEVERVOER(Gg/ 10 ³ M ³ OLIE VERVOER DEUR OLIEBOTE)			
1.B.2.a.i	LAAI AFLANDIGE PRODUKSIE OP OLIEBOTE – ONTVLUGTING	ND	ND	ND
1B2a	OLIE RAFFINERING (Gg/ 10 ³ M ³ OLIE GERAFFI- NEER)			
1.B.2.a.iii.4	ALLES		2.60E ⁻⁰⁹ tot 4.10E ⁻⁰⁶	ND

(2) Subsection (1)(a) is deemed to have come into operation on 1 January 2024.

(3) Subsection (1)(b) as far as it relates to: IPCC Codes 1B1cii (Charcoal production), 1B1ciii (Biochar production), 1B1ci (Coke production), 1B1civ (Coal to Liquids – Syngas; Coal to Liquids – Syngas/H₂; Coal to Liquids – SNG synthetic natural gas, and Gas to liquids), 1.B.2.a.i (Loading Off-Shore Production On Tanker Ships – Without VRU – All; Loading Off-Shore Production On Tanker Ships – With VRU – All), and 1.B.2.a.iii.4 (All, the factors include fugitive equipment leaks, flaring, storage of crude oil, handling and calcination) is deemed to have come into operation on 1 January 2024.

(4) Subsection (1)(b) amendments to Table 2 of Schedule 1 that are not provided for under subsection (3) are deemed to have come into operation on 1 June 2019.

Amendment of Schedule 2 to Act 15 of 2019, as amended by section 99 of Act 34 of 2019 and section 65 of Act 20 of 2021

64. (1) Schedule 2 of the Carbon Tax Act, 2019, is hereby amended by the insertion after the line starting with IPCC Code “1B1c3” of the following:

1B1civ	Coal to liquids											15
1B1civ	Coal to liquids – syngas	none	60	0	10	10	5	5	5	95		
1B1civ	Coal to liquids – syngas(H ₂)	none	60	0	10	10	5	5	5	95		
1B1civ	Coal to liquids – SNG (synthetic natural gas)	none	60	0	10	10	5	5	5	95	20	
1B1civ	Gas to liquids (Tonne Ghg/Tj Natural Gas Input)	none	60	0	10	10	5	5	5	95		

(2) Subsection (1) is deemed to have come into operation on 1 January 2024.

Amendment of section 14 of Act 20 of 2021

65. (1) Section 14 of the Taxation Laws Amendment Act, 2021, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Section 12H of the Income Tax Act, 1962 is hereby amended by the substitution in subsection (1) in the definition of ‘registered learnership agreement’ for paragraph (b) of the following paragraph:

‘(b) entered into between a learner and an employer before 1 April [2022] 2027;’”.

(2) Subsection (1) is deemed to have come into operation on 1 April 2022 and applies in respect of learnership agreements entered into on or after that date.

Amendment of section 12 of Act 17 of 2023

66. (1) Section 12 of the Taxation Laws Amendment Act, 2023, is hereby amended—

(a) by the substitution in subsection (1) for paragraphs (e) and (f), respectively, of the following paragraphs:

“(e) by the substitution in subsection (1) for paragraph (d) [for] of the following paragraph:

‘(d) creating or developing a multisource pharmaceutical product, as defined in the World Health Organisation Technical Report Series, No. 937, 2006 Annex 7 Multisource (generic) pharmaceutical products: guidelines on registration requirements to establish interchangeability issued by the World Health Organisation, conforming to [such] Regulation 346 of 23 April 2015 and any requirements as must be prescribed by regulations made by the Minister after consultation with the Minister responsible for Science and [Technology] Innovation; or’;

(f) by the substitution in subsection (1) for paragraph (e) of the following paragraph:

‘(e) conducting a clinical trial as defined in Appendix F of the Guidelines for good practice in the conduct of clinical trials with human participants in South Africa issued by the

(2) Subartikel (1)(a) word geag op 1 Januarie 2024 in werking te getree het.

(3) Subartikel (1)(b) vir sover dit verband hou met: IPCC-kodes 1B1cii (Houtskoolproduksie), 1B1ciii (“Biochar”-produksie), 1B1ci (Kookproduksie), 1B1civ (Steenkool tot Vloeistowwe) – Singas; Steenkool tot Vloeistowwe – Singas/H₂; Steenkool tot Vloeistowwe -SNG sintetiese aardgas, en gas tot vloeistowwe), 1.B.2.a.i (Laai van aflandige produksie op oliebote – Sonder VRU – Alles; Laai van aflandige produksie op oliebote – Met VRU – Alles), en 1.B.2.a.iii.4 (Al die faktore sluit vlugtige toerustinglekke opvlamming, berging van ru-olie, hantering en kalsinasie in), word geag op 1 Januarie 2024 in werking te getree het.

(4) Subartikel (1)(b) se wysigings aan Tabel 2 van Bylae 1 waarvoor nie kragtens subartikel (3) voorsiening gemaak word nie, word geag op 1 Junie 2019 in werking te getree het.

Wysiging van Bylae 2 van Wet 15 van 2019, soos gewysig deur artikel 99 van Wet 34 van 2019 en artikel 65 van Wet 20 van 2021

64. (1) Bylae 2 by die Wet op Koolstofbelasting, 2019, word hierby gewysig deur die volgende in te voeg na die reël wat met IPCC-kode “1B1c3” begin:

1B1civ	Steenkool na vloeistowwe									
1B1civ	Steenkool na vloeistowwe – singas	geen	60	0	10	10	5	5	5	95
1B1civ	Steenkool na vloeistowwe – singas(H ₂)	geen	60	0	10	10	5	5	5	95
1B1civ	Steenkool na vloeistowwe – SNG (sintetiese aardgas)	geen	60	0	10	10	5	5	5	95
1B1civ	Gas na vloeistowwe (Ton Ghg/Tj Aardgas inset)	geen	60	0	10	10	5	5	5	95

(2) Subartikel (1) word geag op 1 Januarie 2024 in werking te getree het.

Wysiging van artikel 14 van Wet 20 van 2021

65. (1) Artikel 14 van die Wysigingswet op Belastingwette, 2021, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Artikel 12H van die Inkomstebelastingwet, 1962, word hierby gewysig deur in subartikel (1) in die omskrywing van ‘geregistreerde leerlingooreenkoms’ paragraaf (b) deur die volgende paragraaf te vervang:

‘(b) voor 1 April [2022] 2027 tussen ’n leerling en ’n werkgewer aangegaan is;’”.

(2) Subartikel (1) word geag op 1 April 2022 in werking te getree het en is van toepassing ten opsigte van leerlingooreenkomste op of na daardie datum aangegaan.

Wysiging van artikel 12 van Wet 17 van 2023

66. (1) Artikel 12 van die Wysigingswet op Belastingwette, 2023, word hierby gewysig—

(a) deur in subartikel (1) paragrafe (e) en (f) onderskeidelik deur die volgende paragrafe te vervang:

“(e) deur in subartikel (1) paragraaf (d) deur die volgende paragraaf te vervang:

‘(d) skepping of ontwikkeling van ’n ‘multisource pharmaceutical product’, soos omskryf in die ‘World Health Organisation Technical Report Series, No. 937, 2006 Annex 7 Multisource (generic) pharmaceutical products: guidelines on registration requirements to establish interchangeability’ uitgereik deur die Wêreldgesondheidsorganisasie, wat voldoen aan Regulasie 346 van 23 April 2015 en enige vereistes [soos] wat voorgeskryf moet word by regulasies deur die Minister gemaak na oorlegpleging met die Minister verantwoordelik vir Wetenskap en [Tegnologie] Innovering; of’;

(f) deur in subartikel (1) paragraaf (e) deur die volgende paragraaf te vervang:

‘(e) uitvoering van ’n ‘clinical trial’ soos omskryf in ‘Appendix F of the Guidelines for good practice in the conduct of clinical trials with human participants in South Africa issued by the

- Department of Health (2006), conforming to [such] Regulation 344 of 23 April 2015 and any requirements as must be prescribed by regulations made by the Minister after consultation with the Minister responsible for Science and [Technology] Innovation;”; and 5
- (b) by the substitution in subsection (1) for paragraphs (zD) and (zE), respectively, of the following paragraphs:
- “(zD) by the substitution for subsection (19) of the following subsection: 10
- ‘(19)The Commissioner may, notwithstanding the provisions of sections 99(1) and 100 of the Tax Administration Act, raise an additional assessment for any year of assessment with respect to a deduction in respect of scientific or technological research and development which has been allowed, where approval has been withdrawn in terms of subsection (10).’; 15
- (zE) by the substitution for subsection (20) of the following subsection: 15
- ‘(20)(a) A taxpayer may, notwithstanding [Chapter 8] the provisions of sections 93, 99(1) and 100 of the Tax Administration Act, apply to the Commissioner to allow all deductions provided for under this section in respect of scientific or technological research and development if— 20
- (i) expenditure in respect of that scientific or technological research and development was incurred within six months prior to or on or after the date of receipt of an application by the Department of Science, Technology and [Technology] Innovation for the approval of that scientific or technological research and development; 25
- (ii) that [application] expenditure was not allowable in respect of a year of assessment solely by reason of the absence of approval of that scientific or technological research and development under subsection (9); and 30
- (iii) that scientific or technological research and development is approved in terms of subsection (9) after that year of assessment. 35
- (b) The Commissioner may, notwithstanding the provisions of sections 93, 99(1) and 100 of the Tax Administration Act, make a reduced assessment for a year of assessment where expenditure incurred during that year in respect of scientific or technological research and development would have been allowable as a deduction in terms of this section had the approval in terms of subsection (9) been granted during that year of assessment.’; and” 40
- (2) Subsection (1) is deemed to have come into operation on 1 January 2024 and applies in respect of applications received and expenditure incurred on or after that date. 45

Amendment of section 14 of Act 17 of 2023

67. (1) Section 14 of the Taxation Laws Amendment Act, 2023, is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Subsection (1) comes into operation on 1 January **[2025]** 2026 and applies in respect of years of assessment commencing on or after that date.”. 50

(2) Subsection (1) is deemed to have come into operation on 22 December 2023.

Amendment of section 47 of Act 17 of 2023

68. (1) Section 47 of the Taxation Laws Amendment Act, 2023, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Section 2 of the Value-Added Tax Act, 1991, is hereby amended by the substitution in subsection (2) for paragraph (iiiA) of the following paragraph: 55

Department of Health (2006)', wat voldoen aan Regulasie 344 van 23 April 2015 en enige vereistes [soos] wat voorgeskryf moet word by regulasies deur die Minister gemaak na oorlegpleging met die Minister verantwoordelik vir Wetenskap en **[Tegnologie.] Innovering**.”; en

- (b) deur in subartikel (1) paragrawe (zD) en (zE) onderskeidelik deur die volgende paragrawe te vervang:

“(zD) deur subartikel (19) deur die volgende subartikel te vervang:

“(19) Die Kommissaris kan, ongeag die bepalings van artikels 99(1) en 100 van die Wet op Belastingadministrasie, ’n addisionele aanslag vir enige jaar van aanslag uitreik, met betrekking tot ’n aftrekking ten opsigte van wetenskaplike of tegnologiese navorsing en ontwikkeling wat toegelaat is, waar goedkeuring ingevolge subartikel (10) ingetrek is.”;

- (zE) deur subartikel (20) deur die volgende subartikel te vervang:

“(20)(a) ’n Belastingbetaler kan, ondanks **[Hoofstuk 8]** die bepalings van artikels 93, 99(1) en 100 van die Wet op Belastingadministrasie, by die Kommissaris aansoek doen om al die aftrekkings toe te laat kragtens hierdie artikel voorsien ten opsigte van wetenskaplike of tegnologiese navorsing en ontwikkeling indien—

(i) uitgawes ten opsigte van daardie wetenskaplike of tegnologiese navorsing en ontwikkeling aangegaan is binne 6 maande voor of op of na die datum van ontvangs van ’n aansoek deur die Departement van Wetenskap en **[Tegnologie] Innovering** vir die goedkeuring van daardie wetenskaplike of tegnologiese navorsing en ontwikkeling;

(ii) daardie uitgawes nie toelaatbaar was nie ten opsigte van ’n jaar van aanslag alleenlik uit hoofde van die gebrek aan goedkeuring van daardie wetenskaplike of tegnologiese navorsing en ontwikkeling ingevolge subartikel (9); en

(iii) daardie wetenskaplike of tegnologiese navorsing en ontwikkeling na daardie jaar van aanslag ingevolge subartikel (9) goedgekeur word.

(b) Die Kommissaris kan, ondanks die bepalings van artikels 93, 99(1) en 100 van die Wet op Belastingadministrasie, ’n verminderde aanslag maak vir ’n jaar van aanslag waar uitgawes aangegaan tydens daardie jaar ten opsigte van wetenskaplike of tegnologiese navorsing en ontwikkeling toelaatbaar sou wees as ’n aftrekking ingevolge hierdie artikel indien die goedkeuring ingevolge subartikel (9) tydens daardie jaar van aanslag toegestaan sou wees.”;

- (2) Subartikel (1) word geag op 1 Januarie 2024 in werking te getree het en is van toepassing ten opsigte van aansoeke op of na daardie datum ontvang en uitgawes op of na daardie datum aangegaan.

Wysiging van artikel 14 van Wet 17 van 2023

67. (1) Artikel 14 van die Wysigingswet op Belastingwette, 2023, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Subartikel (1) tree op 1 Januarie **[2025] 2026** in werking en is van toepassing ten opsigte van jare van aanslag wat op of na daardie datum begin.”.

- (2) Subartikel (1) word geag op 22 Desember 2023 in werking te getree het.

Wysiging van artikel 47 van Wet 17 van 2023

68. (1) Artikel 47 van die Wysigingswet op Belastingwette, 2023, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Artikel 2 van die Wet op Belasting op Toegevoegde Waarde, 1991, word hierby gewysig deur in subartikel (2) paragraaf (i) deur die volgende paragraaf te vervang:

‘(iiiA) **‘derivative’** means a derivative as defined in [**International Accounting Standard 39 of the International Accounting Standards**] and within the scope of International Financial Reporting Standard 9, issued by the International Accounting Standards Board;’ ”.

(2) Subsection (1) is deemed to have come into operation on 1 January 2024.

5

Short title

69. This Act is called the Taxation Laws Amendment Act, 2024.

- (i) **‘afgeleide instrument’** ’n afgeleide instrument soos omskryf in **[‘International Accounting Standard 39’ van die ‘International Accounting Standards’]** en binne die bestek van **‘International Financial Reporting Standard 9’** uitgereik deur die **‘International Accounting Standards Board;’**”.
- (2) Subartikel (1) word geag op 1 Januarie 2024 in werking te getree het.

5

Kort titel

69. Hierdie Wet heet die Wysigingswet op Belastingwette, 2024.

SCHEDULE I*(section 41)***Part I****AMENDMENT OF PART I OF SCHEDULE NO. 1 TO CUSTOMS AND EXCISE ACT, 1964**

by the insertion of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MER-COSUR	AfCFTA
2710.19.07	1	Aviation kerosene, as defined in Additional Note 1(d)	li	free	free	free	free	free	free
2710.19.09	8	Power kerosene, as defined in Additional Note 1(e)	li	free	free	free	free	free	free
2710.19.15	2	Illuminating kerosene, as defined in Additional Note 1(f), marked	li	free	free	free	free	free	free
2710.19.26	8	Illuminating kerosene, as defined in Additional Note 1(f), unmarked	li	0,183c/li	free	0,183c/li	free	0,183c/li	0,1098c/li
2710.19.30	6	Distillate fuel, as defined in Additional Note 1(g)	li	0,183c/li	0,183c/li	0,183c/li	free	0,183c/li	0,1098c/li
2710.19.35	7	Residual fuel oils, as defined in Additional Note 1(h)	li	free	free	free	free	free	free
2710.19.37	3	Specified aliphatic hydrocarbons solvents, as defined in Additional Note 1(ij), marked	li	free	free	free	free	free	free
2710.19.39	6	Specified hydrocarbon solvents, as defined in Additional Note 1(ij), unmarked	li	0,183c/li	free	0,183c/li	free	0,183c/li	0,1098c/li
2710.19.45	4	Mixed alkylenes	kg	10%	10%	10%	free	10%	6%
2710.19.47	0	Lubricating grease	kg	1,8c/kg with a maximum of 15%	1,8c/kg with a maximum of 15%	1,8c/kg with a maximum of 15%	free	1,8c/kg with a maximum of 15%	1,08c/kg with a maximum of 9%
2710.19.49	7	Prepared lubricating oils, in containers holding less than 5 li	li	15%	15%	15%	free	15%	9%
2710.19.52	7	Other prepared lubricating oils	li	0,55c/li with a maximum of 8%	0,55c/li with a maximum of 8%	0,55c/li with a maximum of 8%	free	0,55c/li with a maximum of 8%	0,33c/li with a maximum of 4,8%
2710.19.55	1	Base oils for prepared lubricating oil, manufactured by the refining of used lubricating oil or other used oil	li	0,55c/li with a maximum of 8%	0,55c/li with a maximum of 8%	0,55c/li with a maximum of 8%	free	0,55c/li with a maximum of 8%	0,33c/li with a maximum of 4,8%
2710.19.57	8	Other base oils for prepared lubricating oil	li	0,1c/li with a maximum of 8%	0,1c/li with a maximum of 8%	0,1c/li with a maximum of 8%	free	0,1c/li with a maximum of 8%	0,06c/li with a maximum of 4,8%
2710.19.60	8	Transformer oil and cable oil	li	free	free	free	free	free	free
2710.19.70	5	Other insulating oil or dielectric oil	li	15%	15%	15%	free	15%	9%
2710.19.80	2	Hydraulic transmission fluids	li	15%	15%	15%	free	15%	9%
2710.19.90	6	Other	li	11c/li	11c/li	11c/li	free	11c/li	6,6c/li

BYLAE I

(artikel 41)

Deel I

WYSIGING VAN DEEL I VAN BYLAE NO. 1 BY DOEANE-
EN AKSYNSWET, 1964

deur die volgende in te voeg:

Tariefpos/ Subpos	CD	Artikelbeskrywing	Statistiese een- heid	Skaal van reg					
				Algemeen	EU/VK	EFTA	SADC	MERCO- SUR	AfCFTA
2710.19.07	1	Lugvaartkeroseen, soos omskryf in Addisionele Nota 1(d)	li	vry	vry	vry	vry	vry	vry
2710.19.09	8	Kragkeroseen, soos omskryf in Addisionele Nota 1(e)	li	vry	vry	vry	vry	vry	vry
2710.19.15	2	Ligkeroseen, soos omskryf in Addisionele Nota 1(f), gemerk	li	vry	vry	vry	vry	vry	vry
2710.19.26	8	Ligkeroseen, soos omskryf in Addisionele Nota 1(f), ongemerk	li	0,183c/li	vry	0,183c/li	vry	0,183c/li	0,1098c/li
2710.19.30	6	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g)	li	0,183c/li	0,183c/li	0,183c/li	vry	0,183c/li	0,1098c/li
2710.19.35	7	Oorblywende brandstofolies, soos omskryf in Addisionele Nota 1(h)	li	vry	vry	vry	vry	vry	vry
2710.19.37	3	Spesifieke alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij), gemerk	li	vry	vry	vry	vry	vry	vry
2710.19.39	6	Gespesifiseerde koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij), ongemerk	li	0,183c/li	vry	0,183c/li	vry	0,183c/li	0,1098c/li
2710.19.45	4	Gemengde alkaloïedes	kg	10%	10%	10%	vry	10%	6%
2710.19.47	0	Smeerghies	kg	1,8c/kg met 'n maksimum van 15%	1,8c/kg met 'n maksimum van 15%	1,8c/kg met 'n maksimum van 15%	vry	1,8c/kg met 'n maksimum van 15%	1,08c/kg met 'n maksimum van 9%
2710.19.49	7	Voorbereide smeerolies, in houters wat minder as 5 li hou	li	15%	15%	15%	vry	15%	9%
2710.19.52	7	Ander voorbereide smeerolies	li	0,55c/li met 'n maksimum van 8%	0,55c/li met 'n maksimum van 8%	0,55c/li met 'n maksimum van 8%	vry	0,55c/li met 'n maksimum van 8%	0,33c/li met 'n maksimum van 4,8%
2710.19.55	1	Basisolies vir voorbereide smeerolie, vervaardig deur raffinering van gebruikte smeerolie of ander gebruikte olie	li	0,55c/li met 'n maksimum van 8%	0,55c/li met 'n maksimum van 8%	0,55c/li met 'n maksimum van 8%	vry	0,55c/li met 'n maksimum van 8%	0,33c/li met 'n maksimum van 4,8%
2710.19.57	8	Ander basisolies vir voorbereide smeerolie	li	0,1c/li met 'n maksimum van 8%	0,1c/li met 'n maksimum van 8%	0,1c/li met 'n maksimum van 8%	vry	0,1c/li met 'n maksimum van 8%	0,06c/li met 'n maksimum van 4,8%
2710.19.60	8	Wisselaarolie en kabelolie	li	vry	vry	vry	vry	vry	vry
2710.19.70	5	Ander isoleerolie of diëlektriese olie	li	15%	15%	15%	vry	15%	9%
2710.19.80	2	Hidroliese transmissievloeistowwe	li	15%	15%	15%	vry	15%	9%
2710.19.90	6	Ander	li	11c/li	11c/li	11c/li	vry	11c/li	6,6c/li

by the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MER-COSUR	AfCFTA
2710.19		— — Other:							

Part II

AMENDMENT OF PART 2A OF SCHEDULE NO. 1 TO CUSTOMS AND EXCISE ACT, 1964

by the insertion of the following:

Tariff Item	Tariff	Article Description	Rate of Excise Duty
105.13	2710.19	Other:	
105.13.09	2710.19.07	Aviation kerosene, as defined in Additional Note 1(d) to Chapter 27	free
105.13.13	2710.19.15	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, marked	free
105.13.15	2710.19.26	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked	3,817c/li
105.13.17	2710.19.30	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27	3,817c/li
105.13.19	2710.19.37	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, marked	free
105.13.21	2710.19.39	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, unmarked	3,817c/li

Part III

AMENDMENT OF PART 5A OF SCHEDULE NO. 1 TO CUSTOMS AND EXCISE ACT, 1964

by the insertion of the following:

Fuel Levy Item	Tariff Heading	Article Description	Rate of Fuel Levy
195.13	2710.19	Other:	
195.13.09	2710.19.07	Aviation kerosene, as defined in Additional Note 1(d) to Chapter 27	free
195.13.13	2710.19.15	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, marked	free
195.13.15	2710.19.26	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked	384c/li
195.13.17	2710.19.30	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27	384c/li
195.13.19	2710.19.37	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, marked	free
195.13.21	2710.19.39	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, unmarked	384c/li

Part IV

AMENDMENT OF PART 5B OF SCHEDULE NO. 1 TO CUSTOMS AND EXCISE ACT, 1964

by the insertion of the following:

Road Accident Fund Levy Item	Tariff Heading	Article Description	Rate of Road Accident Fund Levy
197.13	2710.19	Other:	
197.13.09	2710.19.07	Aviation kerosene, as defined in Additional Note 1(d) to Chapter 27	free
197.13.13	2710.19.15	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, marked	free
197.13.15	2710.19.26	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked	218c/li
197.13.17	2710.19.30	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27	218c/li
197.13.19	2710.19.37	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, marked	free
197.13.21	2710.19.39	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, unmarked	218c/li

deur die volgende te vervang:

Tariefpos / Subpos	CD	Artikelbeskrywing	Statistiese eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SADC	MERCO-SUR	AfCFTA
2710.19		— — Ander:							

Deel II

WYSIGING VAN DEEL 2A VAN BYLAE NO. 1 BY DOEANE-EN AKSYNSWET, 1964

deur die volgende in te voeg:

Tariefitem	Tariefsubpos	Artikelbeskrywing	Skaal van Aksyns-reg
105.13	2710.19	Ander:	
105.13.09	2710.19.07	Lugvaartkeroseen, soos omskryf in Addisionele Nota 1(d) by Hoofstuk 27	vry
105.13.13	2710.19.15	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, gemerk	vry
105.13.15	2710.19.26	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk	3,817c/li
105.13.17	2710.19.30	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27	3,817c/li
105.13.19	2710.19.37	Gespesifiseerde alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, gemerk	vry
105.13.21	2710.19.39	Gespesifiseerde alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ongemerk	3,817c/li

Deel III

WYSIGING VAN DEEL 5A VAN BYLAE NO. 1 BY DOEANE- EN AKSYNSWET, 1964

deur die volgende in te voeg:

Brandstof-heffings-item	Tariefpos	Artikelbeskrywing	Skaal van brandstof-heffing
195.13	2710.19	Ander:	
195.13.09	2710.19.07	Lugvaartkeroseen, soos omskryf in Addisionele Nota 1(d) by Hoofstuk 27	vry
195.13.13	2710.19.15	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, gemerk	vry
195.13.15	2710.19.26	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk	384c/li
195.13.17	2710.19.30	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27	384c/li
195.13.19	2710.19.37	Gespesifiseerde alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, gemerk	vry
195.13.21	2710.19.39	Gespesifiseerde alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ongemerk	384c/li

Deel IV

WYSIGING VAN DEEL 5B VAN BYLAE NO. 1 BY DOEANE-EN AKSYNSWET, 1964

deur die volgende in te voeg:

Padongeluk-fonds-heffings-item	Tariefpos	Artikelbeskrywing	Skaal van Padongelukfonds-heffing
197.13	2710.19	Ander:	
197.13.09	2710.19.07	Lugvaartkeroseen, soos omskryf in Addisionele Nota 1(d) by Hoofstuk 27	vry
197.13.13	2710.19.15	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, gemerk	vry
197.13.15	2710.19.26	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk	218c/li
197.13.17	2710.19.30	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27	218c/li
197.13.19	2710.19.37	Gespesifiseerde alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, gemerk	vry
197.13.21	2710.19.39	Gespesifiseerde alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ongemerk	218c/li

SCHEDULE II*(section 42)***AMENDMENT OF PART 4 OF SCHEDULE NO. 4 TO CUSTOMS AND EXCISE ACT, 1964**

by the insertion of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Article Description	Extent of Rebate
496.00	2710.19	01.06	63	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, entered for the purpose of this rebate item in such quantities, for such purposes and under such conditions as the Commissioner may allow by specific permit	Full fuel levy and Road Accident Fund Levy

SCHEDULE III*(section 43)***AMENDMENT OF PART 4 OF SCHEDULE NO. 5 TO CUSTOMS AND EXCISE ACT, 1964**

by the insertion of the following:

Refund Item	Tariff Heading	Code	CD	Description	Extent of Refund
540.01	195.13	01.05	59	Distillate fuels used by diplomatic and other foreign representatives	As determined and approved by the Director-General: Department of International Relations and Cooperation

SCHEDULE IV*(section 44)***AMENDMENT OF PART 1F OF SCHEDULE NO. 6 TO CUSTOMS AND EXCISE ACT, 1964**

by the insertion of the following:

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
623.02	105.13.17	02.02	74	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		As determined and approved by the Director-General: Department of International Relations and Cooperation
623.03	105.13.17	02.02	73	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		As determined and approved by the Director-General: Department of International Relations and Cooperation
623.05	105.13.15	04.02	72	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked	Full duty	
623.05	105.13.17	04.03	73	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27	Full duty	
623.05	105.13.21	04.04	78	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, unmarked	Full duty	
623.06	105.13.17	01.02	74	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27	Full duty	
623.09	105.13.17	01.02	74	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		Full duty
623.10	105.13.17	01.02	71	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		Full duty
623.11	105.13.17	01.02	73	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		Full duty
623.12	105.13.17	01.02	75	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		Full duty

BYLAE II*(artikel 42)***WYSIGING VAN DEEL 4 VAN BYLAE NO. 4 BY DOEANE- EN AKSYNSWET, 1964**

deur die volgende in te voeg:

Kortings- item	Tarief- pos	Kortings- kode	CD	Artikelbeskrywing	Omvang van korting
496.00	2710.19	01.06	63	Gespesifiseerde alifatiese koolwaterstof oplossings, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ingevoer vir die doel van hierdie kortingsitem in die hoeveelhede, vir die doeleindes en ooreenkomstig die voorwaardes wat die Kommissaris by spesifieke permit mag toelaat	Volle brandstofheffing en Padongelukfondsheffing

BYLAE III*(artikel 43)***WYSIGING VAN DEEL 4 VAN BYLAE NO. 5 BY DOEANE- EN AKSYNSWET, 1964**

deur die volgende in te voeg:

Terug- betalings- item	Tarief- pos	Kode	CD	Beskrywing	Omvang van terugbetaling
540.01	195.13	01.05	59	Distillaatbrandstowwe gebruik deur diplomatieke en ander buitelandse verteenwoordigers	Soos bepaal en goedgekeur deur die Direkteur-generaal: Departement van Internasionale Betrekkinge en Samewerking

BYLAE IV*(artikel 44)***WYSIGING VAN DEEL 1F VAN BYLAE NO. 6 BY DOEANE- EN AKSYNSWET, 1964**

deur die volgende in te voeg:

Kortings- item	Tarief- item	Kortings- kode	CD	Beskrywing	Omvang van korting	Omvang van terugbetaling
623.02	105.13.17	02.02	74	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Soos bepaal en goedgekeur deur die Direkteur-generaal: Departement van Internasionale Betrekkinge en Samewerking
623.03	105.13.17	02.02	73	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Soos bepaal en goedgekeur deur die Direkteur-generaal: Departement van Internasionale Betrekkinge en Samewerking
623.05	105.13.15	04.02	72	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk	Volle reg	
623.05	105.13.17	04.03	73	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27	Volle reg	
623.05	105.13.21	04.04	78	Gespesifiseerde alifatiese koolwaterstof oplosmiddels, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ongemerk	Volle reg	
623.06	105.13.17	01.02	74	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27	Volle reg	
623.09	105.13.17	01.02	74	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Volle reg
623.10	105.13.17	01.02	71	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Volle reg
623.11	105.13.17	01.02	73	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Volle reg
623.12	105.13.17	01.02	75	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Volle reg

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
623.13	105.13.17	01.02	77	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		Full duty
623.14	105.13.17	01.02	79	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		Full duty
623.19	105.13.15	04.02	78	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked		As provided in the Notes hereto
623.19	105.13.17	04.03	79	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		As provided in the Notes hereto
623.19	105.13.21	04.04	73	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, unmarked		As provided in the Notes hereto
623.21	105.13.15	04.02	71	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked		As provided in the Notes hereto
623.21	105.13.17	04.03	72	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		As provided in the Notes hereto
623.21	105.13.21	04.04	77	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, unmarked		As provided in the Notes hereto
623.23	105.13.15	04.02	75	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked		As provided in the Notes hereto
623.23	105.13.17	04.03	76	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		As provided in the Notes hereto
623.23	105.13.21	04.04	70	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, unmarked		As provided in the Notes hereto
623.25	105.13.15	03.02	74	Illuminating kerosene, as defined in Additional Note 1(f) to Chapter 27, unmarked		As provided in the Notes hereto
623.25	105.13.17	03.03	75	Distillate fuel, as defined in Additional Note 1(g) to Chapter 27		As provided in the Notes hereto

Kortings- item	Tarief- item	Kortings- kode	CD	Beskrywing	Omvang van korting	Omvang van terugbetaling
623.13	105.13.17	01.02	77	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Volle reg
623.14	105.13.17	01.02	79	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Volle reg
623.19	105.13.15	04.02	78	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk		Soos bepaal in die Notas hierby
623.19	105.13.17	04.03	79	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Soos bepaal in die Notas hierby
623.19	105.13.21	04.04	73	Gespesifiseerde alifatiese koolwaterstof oplosmiddels, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ongemerk		Soos bepaal in die Notas hierby
623.21	105.13.15	04.02	71	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk		Soos bepaal in die Notas hierby
623.21	105.13.17	04.03	72	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Soos bepaal in die Notas hierby
623.21	105.13.21	04.04	77	Gespesifiseerde alifatiese koolwaterstof oplosmiddels, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ongemerk		Soos bepaal in die Notas hierby
623.23	105.13.15	04.02	75	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk		Soos bepaal in die Notas hierby
623.23	105.13.17	04.03	76	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Soos bepaal in die Notas hierby
623.23	105.13.21	04.04	70	Gespesifiseerde alifatiese koolwaterstof oplosmiddels, soos omskryf in Addisionele Nota 1(ij) by Hoofstuk 27, ongemerk		Soos bepaal in die Notas hierby
623.25	105.13.15	03.02	74	Ligkeroseen, soos omskryf in Addisionele Nota 1(f) by Hoofstuk 27, ongemerk		Soos bepaal in die Notas hierby
623.25	105.13.17	03.03	75	Distillaatbrandstof, soos omskryf in Addisionele Nota 1(g) by Hoofstuk 27		Soos bepaal in die Notas hierby