

**Segment: Large & International Business**

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**Reference**  
Reportable Arrangements

**Date**  
09 February 2022



**SARS Stakeholders**

1st Floor, South Wing  
Woodmead North Office Park  
54 Maxwell Drive, Jukskeiview  
Sandton, 2196  
(No postal deliveries to this address)

Private Bag X170, Rivonia, 2128

SARS online: [www.sars.gov.za](http://www.sars.gov.za)

Dear valued Stakeholder,

**Reportable Arrangements**

The Large Business & International segment seeks to enhance our partnership with taxpayers towards promoting mutual trust and transparency, and voluntary compliance.

Thank you to our stakeholders who have approached us requesting clarity on whether certain arrangements are considered reportable. We took the opportunity to circulate this letter on the published list of reportable arrangements and disclosure obligations.

The Tax Administration Act No. 28 of 2011 ("the Tax Administration Act") requires certain transactions or arrangements to be reported to SARS within 45 business days after the date on which the arrangement qualifies as a 'reportable arrangement' or within 45 days of a taxpayer becoming party to a reportable arrangement. This mandatory disclosure allows SARS to review the arrangement and interpretation against the relevant legal and tax framework.

Reportable arrangements are set out in sections 34 – 39 of the Tax Administration Act read together with section 212 of the same Act. The reporting requirement is based on the existence of certain hallmarks or characteristics. Section 212 specifically covers the penalties relating to the non-disclosure of reportable arrangements.

An 'arrangement' is a reportable arrangement as set out in terms of subsection (1) or (2) of section 35 of the Tax Administration Act. It includes arrangements in terms of which a 'tax benefit' is or will be derived or is assumed to be derived by any 'participant' by virtue of the 'arrangement'. A 'participant' includes any person who is a party to a listed 'reportable arrangement' while a 'promotor' includes a person who is principally responsible for organising, designing, selling, financing or managing the 'reportable arrangement'.

The public notice listing the reportable arrangements can be found [here](#).

***Required information***

The following information in respect of a 'reportable arrangement' is to be submitted on the reportable arrangements external form (the RA01 form found [here](#)) by the specified date:

- (a) a detailed description of all its steps and key features, including, in the case of an 'arrangement' that is a step or part of a larger 'arrangement', all the steps and key features of the larger 'arrangement';
- (b) a detailed description of the assumed 'tax benefits' for all 'participants', including, but not limited to, tax deductions and deferred income;
- (c) the names, registration numbers, and registered addresses of all 'participants';
- (d) a list of all its agreements; and
- (e) any financial model that embodies its projected tax treatment.

The above form with supporting documents and enquiries can be submitted to [reportable@sars.gov.za](mailto:reportable@sars.gov.za). We look forward to working with you to meet these tax reporting obligations and have a dedicated team who are at your service to assist you where required.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Molato Motloun', with a stylized flourish at the end.

**Molato Motloun**

Business Area Head: Tax Avoidance and Reportable Arrangements

**ISSUED ON BEHALF OF THE COMMISSIONER FOR THE SOUTH AFRICAN  
REVENUE SERVICE**