

What's New at SARS

Tax Workshops

4 November 2022 – [Tax workshops](#) for North-West province during December.

Legal Counsel – Secondary Legislation – Tariff Amendments 2022

4 November 2022 – Customs & Excise Act, 1964: Publication details for [tariff amendment Notice R2709, R2708 and R2707](#), as published in *Government Gazette* 47443 on 4 November 2022, are now available

Tender

4 November 2022 – [RFP 03/2022: Establishment of Panel for Recruitment Service Providers](#)

Richards Bay branch closing for the rest of the day

4 November 2022 – Kindly note that the Richards Bay branch will close today, Friday, at 13:00 for the rest of the day. Our apologies for the inconvenience.

Legal Counsel – Secondary Legislation – Tariff Amendments 2022

3 November 2022 – Customs & Excise Act, 1964: The [tariff amendment notices](#), scheduled for publication in the *Government Gazette*, relate to the amendments to –

- Part 1 of Schedule No. 3, by the substitution of the definition of “value for VAA purposes”, where it appears under “Definitions” in Note 1.2 to rebate item 317.03 – ITAC Minute 11/2021;
 - Part 1C of Schedule No. 6, by the substitution of the descriptions of rebate items 620.13/104.15.25/01.02 and 620.13/104.15.27/02.02, for fortified wine entered for use in topping of sweetening of unfortified wines; and
 - Part 1 of Schedule No. 1, to give effect to the phase down of the rates of duty for 2023, in terms of the Economic Partnership Agreement (EPAs) between the European Union and the Southern African Development Community EPA States and the European Union as well as the EPA between the Southern African Customs Union Member States and Mozambique and the United Kingdom of Great Britain and Northern Ireland.
- Publication details will be made available later.

Customs Weekly List of Unentered Goods

2 November 2022 – [Customs Weekly List of Unentered Goods](#)

Media Release: SARS and the dtic start distributing clothing and footwear to KZN flood victims living in shelters

2 November 2022 – The initiative whereby the South African Revenue Service (SARS) and the Department of Trade, Industry and Competition (the dtic) have joined forces with Business and Labour to donate tons of seized clothing, blankets, and footwear to flood victims in Kwa-Zulu Natal, has entered its second phase. This entails the donation of clothing and footwear to the flood victims.

The initiative, dubbed Project Sizani (*We all Help*), took shape after the declaration of a state of disaster by Pres. Cyril Ramaphosa in response to the flooding in KZN during April this year, which wreaked havoc in this province, killing over 400 people and destroying over 8 500 houses. Some parts of the Eastern Cape, North-West and Free State provinces also experienced devastation due to the April flooding.

“Whilst the project is aimed at minimising the material impact of the affected people, it is also intended to restore dignity to those who were left almost naked by the disaster. Humanity is what drives this gesture more than anything else,” says Mr. Patrick Moeng, Executive: Focused Investigative Audit Unit: Syndicated Tax and Customs Crime Division at SARS, and leader of Project Sizani.

The initiative involves the distribution of some of the millions of tons of goods from the clothing, textile, footwear and leather industries (CTFL) that had been seized by SARS since 2018, which otherwise would have been destroyed in accordance with the Customs Act, Act 91 of 1964, administered by SARS, as well as a 2009 and 2020 NEDLAC agreement, stipulating that seized goods must be destroyed so as to avoid disruption to the South African market.

During the first phase, which started in June this year, the donation of blankets commenced in KZN, due to the urgent need after the April floods, where hundreds of flood survivors are still living in community halls (shelters).

The second phase comprises the donation of clothing and footwear to flood victims identified in the various district municipalities of the KZN, EC and NW provinces. It is a much more intricate process, due to the due diligence that has to be conducted for each item to be donated.

Team effort

A Governance Task Team (GTT) which comprises members from SARS, the dtic, Organised Labour and the CTFL industry is responsible for the execution of the project, although other role players that play an instrumental part in the execution of the project are the National Disaster Management Committee (NDMC), the Department of Social Development (DSD), and the Offices of the various Premiers in the impacted provinces. In addition, the involvement of Business and Labour, as key stakeholders, is necessary in every step of the project, to monitor the processes and ensure any risks that may harm the local business are mitigated.

To date, more than 28 000 blankets had been delivered to specific individuals at approximately 174 sites in Kwa-Zulu Natal.

The KZN phase 1 (blanket distribution) pilot paved the way for the roll-out of the second phase of the project: an even more intricate and tightly controlled process as the footwear and clothing items are wrapped in individual packages for specific individuals in specific shelters before they are handed over for distribution.

This second phase of the project is currently underway in KZN after a pilot at the two smaller shelters in Inanda and one in La Mercy offered a chance to develop and refine the process even further.

According to Mr. Moeng, 25 698 items of clothing have so far been donated to the first 31 of 74 sites in KZN. The packing, sorting and distribution to shelters continues to take place as more shipments of seized clothing arrive from Gauteng, courtesy of many shipping lines who extended their hand of goodwill to assist in transporting the containers of seized items to different parts of the country where the need has been identified.

The project is earmarked to be concluded at the end of November 2022 with North-West and Eastern Cape following on the footsteps of KZN.

For queries, kindly contact SARSMedia@sarss.gov.za.

Prohibited and Restricted Imports and Exports list

2 November 2022 – [Prohibited and Restricted Imports and Exports list](#). Export permit from ITAC is not required for tariff heading 8704.21.70, 8704.21.75 and 8704.21.77.

Legal Counsel – Dispute Resolution & Judgments – Supreme Court of Appeal: 2022–2020

1 November 2022 – [Supreme Court of Appeal judgments](#)

- *Mobile Telephone Networks (Pty) Ltd v CSARS* (805/2021) [2022] ZASCA 142 (24 October 2022)
 - *Nesongozwi v CSARS* (838/2021) [2022] ZASCA 138 (24 October 2022)
- Summaries are available on the Supreme Court of Appeal judgments page.

Customs: Update on the RLA roadshows

1 November 2022 – SARS is conducting roadshows in the regions to assist traders to onboard onto the electronic Registration, Licensing and Accreditation (RLA) eFiling system. Onboarding to the RLA system will reduce manual processing that would, at times, cause delays. The regional roadshows will provide traders the opportunity to have physical interactions with SARS' Registration, Licensing and Accreditation officers, who will support traders to activate their eFiling profiles and navigate the RLA eFiling system by submitting an application themselves.

Traders in the Free State are now invited to visit the SARS Maseru office any day from 14 – 18 November 2022. Slots are daily from 9:00 – 10:00, 11:00 – 12:00 and 13:00 – 14:00. This will be the last leg of regional roadshows for 2022, and traders are encouraged to continue using the self-registration option on eFiling.

Venue:

- SARS Maseru Bridge Boardroom
- N12 Road
- Ladybrand
- Free State

For more information on Registration, Licensing and Accreditation, see the [RLA webpage](#).

SARS Annual Report 2021-2022

1 November 2022 – The SARS Annual Report 2021-2022 has been published. See the [Annual Reports & Strategic Plans webpage](#) here or the direct link to the report – [SARS Annual report 2021-2022](#).

Legal Counsel – Preparation of Legislation – Draft Documents for Public Comment

31 October 2022 – Income Tax Act, 1962

- [Draft Interpretation Note](#) – Exemption of income relating to South African ships used in international shipping
Due date for comment: 9 December 2022.

Legal Counsel – Preparation of Legislation – Draft Documents for Public Comment

31 October 2022 – Value-Added Tax Act, 1991

- [Draft Binding General Ruling](#) – Value-added tax treatment of rounding difference in cash transactions
Due date for comment: 2 December 2022.

Trade Statistics for September 2022

31 October 2022 – SARS today releases trade statistics for September 2022 recording a preliminary trade balance surplus of R19.70 billion attributable to exports of R191.56 billion and imports of R171.86 billion. [See the full Media Release for September 2022 here](#).

Latest scam

31 October 2022 – The [latest scam is a 'PayFast' SMS](#) asking unsuspecting taxpayers to click on a link to receive a payment from SARS. Please ignore and do not click on any links. To see all currently known scams, visit our [Scams and Phishing webpage](#).

Legal Counsel – Binding Private Rulings – BPR 381–400

31 October 2022 – [Binding Private Rulings](#)

- Binding Private Ruling 386 – Share disposal between two employee share incentive trusts
- Binding Private Ruling 385 – Use of preference share proceeds to fund employee share ownership plan

Legal Counsel – Binding Class Rulings – BCR 81–100

31 October 2022 – Income Tax Act, 1962

- [Binding Class Ruling 083](#) – Simultaneous unbundling of shares held in more than one listed company

Latest Tax Practitioner newsletter is available

31 October 2022 – The [October 2022 issue of the Tax Practitioner Connect newsletter](#) is now available. See the latest edition for news on the Employer interim reconciliation declarations, enhancements to the Tax Directive process and more.

Latest Government Connect newsletter is available

31 October 2022 – The [October 2022 issue of the Government Connect newsletter](#) is now available.

Final reminder – Monday, 31 October 2022, is the deadline to submit annual Third-Party Data Returns

29 October 2022 – Third Party Data Returns are due on Monday, 31 October 2022, that includes the associated data files and correlating declarations [Data Types: IT3(b), IT3(c), IT3(s), MED, INS]. Important to note, submissions are not complete until declarations are submitted via eFiling that ensures your data files are reconciled via the respective Third-Party Data Returns.

Third Party Data Providers are urged to make timely submissions, as incomplete, late or non-submissions may be liable for penalties and would impact your respective clients.

It is encouraging to convey that 88% of the required Third-Party Data submissions have been receipted.

We would like to thank those Third-Party Data Providers that made their submissions well in advance of the due date.

Should you experience any challenges while making your submissions, you are welcome to contact us by emailing SARS Third Party Data Support (Bus_Sys_CDsupport@sars.gov.za).

For more information, see the [Third Party Submission Platform webpage](#).